

Hoboken, New Jersey, January 6, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:10 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

### **ROLL CALL:**

Present: Mr. Mooney, Mr. Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

Absent: Ms. Fox and Ms. Tyrell.

Also present were Dennis Galvin, Esq., Board Attorney, Donna Holmquist, Board Planner, Glenn Lines, Board Architect and Cathy DePalma, Secretary to the Planning Board.

### **REORGANIZATION OF THE BOARD**

A motion to elect Mr. Mooney to the office of Chairman of the Planning Board for the year 2004 was made by Mr. Monaco, seconded by Mr. Campos, and adopted by the following votes:

Yes: Mr. Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

Abstained: Mr. Mooney.

A motion to elect Mr. Monaco to office of Vice-Chairman of the Planning Board for the year 2004 was made by Mr. DeTrizio, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

Abstained: Mr. Monaco.

A motion to elect Commissioner Wilday to the office of Recording Secretary to the Planning Board for the year 2004 was made by Chairman Mooney, seconded by Vice-Chairman Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

Abstained: Ms. Wilday.

## **APPROVAL OF MINUTES**

A motion to approve the minutes of October 7, 2003 and November 13, 2003 was made by Mr. DeTrizio, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

## **YEARLY CALENDAR**

A motion to approve the yearly calendar was made by Mr. Forrest, seconded by Ms. Wilday, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

## **PLANNING BOARD ATTORNEY CONTRACT**

A motion to approve the Planning Board Attorney Contract was made by Ms. Wilday, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos Mr. Forrest.

## **RESOLUTIONS:**

### **Burges Contract**

A motion to approve to approve the contract of the Planner was made by Mr. Monaco, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

### **72-78 Jefferson Street**

A motion for Minor Site Plan Approval was made by Mr. Monaco, seconded by Mr. Campos and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

### **900-1030 MADISON STREET 901-1031 MONROE STREET**

A motion to carry the matter to the January 28, 2004 meeting, without further notice, was made by Mr. DeTrizio, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

### **720 MONROE STREET**

A motion to carry the matter to the January 28, 2004 meeting, without further notice, was made by Mr. Monaco, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

Mr. Galvin stated the applicant needed to do some site-clearing before beginning the project, and the Building Department had requested authorization from the Board to do so. Mr. Galvin did not foresee any problems with issuing the authorization.

A motion to send a letter to the Building Department to approve the site clearing was made by Mr. Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Forrest.

### **1401 WASHINGTON STREET**

Richard Stanzione, Esq. appeared on behalf of the applicant, Verizon Wireless. Mr. Stanzione stated that the applicant was willing to agree to the condition of having an independent emission study performed prior to going into operation.

Peter Longo was sworn and his credentials as a professional engineer were accepted by the Board. Mr. Longo stated that he had been working closely with MTM on the application, and was appearing on their behalf due to a scheduling conflict.

A drawing of the existing conditions was presented, marked Exhibit A-8. Mr. Longo described the existing area as 8,600 square feet, with half of the site covered by a three story steel frame building, currently operating as a bank. They are proposing to place 2 sets of antennae and radio equipment on the roof.

Exhibit A-9 was marked, showing the proposed construction. The radio cabinets will be put on a steel frame that is 10 feet by 25 feet. It will be 44 feet, 9 inches above the ground. There will be a GPS antenna attached to the frame, which extends two feet above the equipment cabinet. That antenna is about the size of a Dixie cup. The GPS antenna will be at a height of 46 feet, 9 inches above ground, which is 11 feet above the roof surface. The ordinance allows for 8 feet above the roof surface. Mr. Longo testified that the height is necessary to have a clear line of site to the satellite. The radio cabinets are surrounded by stealth panels and will appear to look like chimneys.

A sample stealth panel was marked as Exhibit A-10. A representative of the Company making the panels will visit the site to ensure the panels will match the existing brick.

Ms. Wilday asked if the dimensions of the brick and mortar would also be taken into consideration. Mr. Longo responded that it would match the existing dimensions.

Mr. Longo further testified that cables would be enclosed in a cable tray adhered one foot off of the roof and shielded by the paraffin wall. There will be no other changes to the building façade. A light will be placed above the equipment, to be used by service technicians called in to perform emergency repairs during the night. The only utilities needed are electric and telephone lines. These services will be provided by existing building lines.

Mr. Forrest asked if there was a roof above the stealth panels. Mr. Longo stated that there was no roof. There was one removable panel on the side that can be pulled off for work and then replaced by the technician.

Jim Dowling was sworn and his credentials as a licensed planner were accepted by the Board. Mr. Dowling stated that under the new ordinance, the antennae installation required the following variances: (1) the ordinance allows the antennae on structures a minimum of 60 feet tall. The proposed building is 35 feet 8 inches tall; (2) the ordinance does not allow an accessory above the highest existing rooftop accessory. The GPS antenna exceeds this height by 9 inches; and (3) the ordinance allows structures to be built a maximum of 8 feet over the roof slab. The completed structure will be approximately 11 feet, 2 inches.

Mr. Dowling stated that the installation of the antennae would advance the purpose of the municipal land use law. The project will enhance public health, safety and welfare by virtue of the carrier's FCC license and the ability to function in the event of a blackout. Gap coverage will be provided and the stealth structure promotes a desirable visual impact. There will be no negative impact on the neighborhood. Mr. Dowling referred to Exhibits A-6 and A-7, which were marked at the previous hearing, showing the proposed structure from various angles.

Mr. Stanzione inquired if Mr. Dowling was present during the testimony of the radio frequency expert. Mr. Dowling responded that he was present and in his opinion, the application should be granted as the benefits outweigh the detriment, it will not substantially impair the zone plan and it will fill existing service coverage gaps.

Mr. Monaco asked about the size of the larger addition. Mr. Longo responded that it was 10 feet by 25 feet. Mr. Monaco said that he had understood it was the size of a refrigerator. Mr. Dowling explained that the cabinets were about the size of a refrigerator and those cabinets would be enclosed in the larger, stealth structure. There will be six cabinets total – 3 radio, 1 power supply and 2 battery cabinets.

Ms. Holmquist wondered if there was any way to minimize the size of the structure. Mr. Dowling stated that the structure was made as small as it possibly could to cover the antennae.

Chairman Mooney called for questions from the public.

Daniel Thompson asked why the antennae were not placed in an area of higher priority, away from the residential areas. Mr. Stanzione asserted that Mr. Villeco had testified at length at the previous hearing regarding placement and that this was the only available site to cover the area needed.

Mr. Mooney called for comments from the public.

Daniel Thompson was sworn. Mr. Thompson commented that he understood the limitations on the Board as to placement and inquired if an expert would check the emission calculations. Mr. Galvin reminded Mr. Thompson that the applicant conceded at the beginning of the hearing to allow an expert to study the emissions. Mr. Thompson stated that he did not have a copy of the calculations performed in the applicant's expert report. Mr. Stanzione stated that these calculations were on file and could be obtained by contacting the Board Secretary.

A motion to close the hearing to the public was made by Mr. Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest

A motion to approve was made by Mr. Monaco, seconded by Mr. Campos, subject to the following conditions: (1) access to the roof area will be limited to Verizon employees and authorized contractors; (2) the antennae emissions must be in compliance with FCC regulations; (3) a radio frequency engineer of the Board's choice, hired at the applicant's expense, will conduct a survey to ensure FCC compliance; (4) the expert will review reports of qualified members of the public; and (5) a bond will be posted for the removal of the equipment and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

(A short recess was taken.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

## **627 WASHINGTON STREET**

The attorney for the applicant stated that the plans were being revised and asked for the matter to be carried to the next meeting and agreed to waive the time limitations on the Board.

A motion to carry the hearing to the February 2, 2004 meeting was made by Mr. Campos, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

## **59 13<sup>th</sup> STREET**

### **1017-1031 JEFFERSON STREET**

Mr. Galvin stated that the two AT&T applications were being combined for board economy. He noted for the record that Paul Lasek was appearing for the Board on the 59 13<sup>th</sup> Street application, as the Board Engineer has a conflict. The Board Engineer will be preparing the report for the 1017-1031 Jefferson Street application.

Judith Babinski, Esq. appeared on behalf of AT&T. Ms. Babinski stated that they are combining testimony as they have the same planner and radio frequency engineer.

Ramon Zamora was sworn and his credentials as a radio frequency engineer were accepted by the Board. Mr. Zamora presented illustrations of existing antennae sites in Hoboken and of coverage areas.

As to the 13<sup>th</sup> Street site, they planned two micro-cell antennae, with a maximum output of 5 watts, to be mounted to the façade of the building. The output is well below FCC regulations.

As to Jefferson Street, there will be four antennae in three sectors. They have offered the option of flush mounting the antennae or installing them on the roof. He opined there was a negligible difference between the two locations. The maximum output of the sites is well below FCC regulations.

Mr. Campos asked about the antennae sectors and wondered if the number of antennae per sector could be reduced. Mr. Zamora explained that the different sectors were angled to cover different directions. Also, by reducing the number of antennae in each sector, coverage would remain the same, but capacity would go down. Increasing the power to fewer antennae could potentially cause interference.

Ms. Wilday inquired about AT&T's plans as far as capacity. Mr. Zamora explained that the antennae are above capacity and are being built based on predicted growth in Hoboken. Mr. Forrest questioned the extra capacity anticipated. Ms. Babinski presented their five-year projections. Mr. Zamora stated that there was a transformation between two technologies. They are phasing out an old technology, which is used by most current subscribers, and switching over to a new technology – GSM. The GSM does text messaging and internet coverage.

Mr. Forrest stated that the antenna on 4th and Adams was an eyesore. Mr. Galvin commented that existing sites were being considered only as to service gaps and to ensure that new sites do not have the same problems. Mr. Campos wanted to ensure that the new site would not have the same esthetic issues.

Mr. Forrest asked why the new sites have such a high capacity for GSM service, when most subscribers were not using the technology. Mr. Zamora explained that subscribers tend to upgrade their service when they trade in old phones. He estimated that phones were upgraded every year and a half.

Chairman Mooney called for questions from the public.

Daniel Thompson asked about the placement of antennae, wattage levels and potential health risks. Mr. Zamora stated that the maximum, worst-case scenario output of 13<sup>th</sup> Street was 250 watts and on Jefferson Street was 500 watts. These calculations were still far below FCC guidelines.

Mr. Galvin clarified that the radio frequency engineer was only presented to testify as to service gaps, not as to health risks.

Ms. Babinski stated that the Board could only consider health risks if the applicant was not in compliance with FCC regulations. Mr. Campos informed Mr. Thompson that the applicant's attorney could provide him with all of the calculations and expert reports concerning the site. Ms. Babinski agreed to provide this information.

Jason Sutter was sworn and his credentials as an architect were accepted by the Board. Mr. Sutter testified that two antennae would be mounted flush to the building on 13<sup>th</sup> Street. They would be placed in a diamond shape below the existing balcony. Cables would be routed from the equipment cabinets on the roof. There will be a 6 foot by 6 foot cable tray on the roof. The antennae are mounted at a height of 37 feet. The cabinets are approximately 6 feet in height, set back 8 feet from the roof edge and placed on a metal base the size of a piece of luggage.

Mr. Galvin asked if lights would be installed on the equipment. Mr. Sutter responded that there would be lights and the equipment would be serviced about every 6 weeks.

Arif Malick was sworn and his credentials as an architect were accepted by the Board. Mr. Malick, testifying as to the Jefferson Street application, stated that he proposed structure would consist of 3 sectors with 4 antennae each. In Option 1, the antennae would be flush mounted on the façade of the building. In Option 2,



the antennae would be mounted on a stealth pipe-like structure on the roof. The equipment consisted of 4 cabinets, 2 \_ feet by 2 \_ feet by 6 feet tall on a steel platform.

Mr. DeTrizio asked how tall the pipes were in Option 2 and Mr. Malick responded that they were 56 feet from the ground and 6 feet from the roof. They consisted of about 2 feet of base and a 4 foot structure.

Mr. DeTrizio indicated that a previous applicant had put the antennae in a cabinet to blend in with the building. Ms. Babinski stated that the flush mounting would be more camouflaged.

Mr. Monaco asked if the roof antennae were at the edge. Mr. Malick responded that the antennae were set back about 10 feet and were not visible from the sidewalk. He stated that the size and placement of the structures is site-specific. They occasionally need to build larger structures to protect the equipment from the wind or to obtain better coverage. Mr. Monaco commented that he did not want a situation with excessive and unsightly antennae being put up around Town.

Mr. Forrest noted that in the photos, it did not appear that the pipe-like fixture covered the entire antennae. Mr. Malick confirmed that it was not. He stated that it could be changed, but the uncovered area was not visible from the street.

Mira Becker was sworn and her credentials as a planner were accepted by the Board. Exhibit A-2, an aerial photo of 13<sup>th</sup> Street and Exhibit A-3, photo simulations of 13<sup>th</sup> Street, were marked into evidence. Ms. Becker said the photo-simulations show the proposed antennae on the side of the building. The colors were changed so that the antennae were visible in the photo. Those colors would be matched in the actual project.

Ms. Becker stated that a C-2 variance was being requested. The ordinance states that antennae can only be constructed on buildings with a minimum height of 60 feet. The proposed building is 59 feet, 6 inches. Ms. Becker testified that the project is beneficial by virtue of AT&T being an FCC licensee, a gap in service is remedied, there will be no detriment to the community and it does not impair the intent of the Ordinance. The visual impact will be *de minimus*. Ms. Becker stated that although pictures were taken from 7 locations, the antennae were only visible from 3.

Mr. Forrest asked what was being shown in the photo-simulations. Ms. Becker responded that the micro-cells and cables were being depicted.

Ms. Holmquist asked if any assumptions were made in producing the exhibits that the Board should be made aware of. Ms. Becker responded that they used actual dimensions. Colors were changed to highlight the location of the equipment, but would match on the actual structure.

Mr. Thompson asked about placement of the antennae. Ms. Becker pointed out the location of the antennae in the exhibits.

Ms. Becker, testifying as to the Jefferson Street project, referred to Exhibit A-4, an aerial view of Jefferson, and Exhibits A-5 and A-6, photo-simulations of Jefferson Street was marked into evidence.

The C-variances requested are the same as for the 13<sup>th</sup> Street application, as the building is only 50 feet tall, and does not meet the 60 foot ordinance requirement. Ms. Becker stated that the project posed no detriment to the community. Ms. Becker testified that, in her professional opinion, although the flush mounting was more costly, it was much more esthetically pleasing and did not detract from the historic character of the neighborhood.

Mr. DeTrizio asked where the cabinets would be located and if the antennae were mounted to the side of the building. Ms. Becker explained they would be in the same position as indicated in the photos, and would not be visible from the street.

Mr. Forrest asked if the cabinets were of equal height, as they appeared different in the photo. Ms. Becker confirmed they were all the same height.

Ms. Babinski stated that the application was complete.

Mr. Thompson maintained that he wanted to ensure that the application would be subject to the survey of FCC compliance. Mr. Galvin confirmed that it would be subject to the same conditions.

A motion to approve the flush mounting of the antennae at 59 13<sup>th</sup> Street, subject to all conditions in the previous application, was made by Mr. Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

A motion to approve the approve the flush mounting of Jefferson Street, subject to all conditions of the previous application and to submit revised plans showing the flush mounting, was made by Mr. Monaco, seconded by Mr. DeTrizio and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Mr. Campos and Mr. Forrest.

## **ADJOURNMENT**

There being no further business to attend to, this meeting adjourned at 9:45 p.m.

Respectfully submitted,

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CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar

Hoboken, New Jersey, January 28, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:14 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Campos.

Absent: Ms. Tyrell.

Also present were: Dennis Galvin, Esq., Attorney to the Planning Board, Eileen Banyra, Board Planner, Chaz Holloway, Board Engineer, Cathy DePalma, Secretary to the Planning Board.

## **1500 HUDSON STREET**

Glen Pantel, Esq. appeared on behalf of the applicant in a continuation of a hearing for Amended Site Plan Approval. Richard Blinder, architect, testified previously and returned to respond to questions and comments raised by the Board. A PowerPoint presentation was marked as Exhibit A-2. Mr. Blinder adjusted the screen to provide a better view for the public. While doing so, Mr. Pantel called his next expert.

Geoffrey Lanza was sworn and his credentials as a project engineer were accepted by the Board. Mr. Lanza described the portions of the project that had been constructed since the original approval in 1998. There has been an addition of one acre of property to the project. They have also added open space and a walkway up to the water.

Mr. Lanza stated that four engineering changes were made to the plan.

First, there has been an extension of Garden Street. A 12 inch waterline has been added between 14<sup>th</sup> and 15<sup>th</sup> Streets, along with surface drainage. A utility plan was marked as Exhibit A-3.

Second, modifications have been made to the drain structures of Building A.

Third, Building F has been changed from a parking garage to a residential building, requiring a larger sanitary line.

Finally, the storm line has been relocated further north. Mr. Lanza testified that the parking garage would be constructed first, and then other sections of the project would be built.

Mr. Pantel stated that a letter from Mr. Lanza's associate, Thomas Crelman, was previously submitted to the Board, addressing some of the concerns that had been raised.

Thomas Crelman was sworn and his credentials as an engineer were accepted by the Board. Ms. Wilday questioned the grade of the fill underneath the bridge and if the fill height could be reduced, making it passable for pedestrians. Mr. Pantel stated that there was no contaminated fill over clean fill. Mr. Crelman stated that he was unsure of the height of fill, but would visit the site to see what modifications could be made.

Mr. DeTrizio asked about the order of the construction of the buildings. He would like to see Building 2-A completed first, as it stands at the entryway to Hoboken, and the existing structure is an eyesore. Mr. Pantel responded that they were working on issues with the city regarding that area. Also, due to the size of that particular site, he did not know if it was possible to begin construction there next. Mr. Pantel stated that the numbering of the sections does not correspond to the order of construction. A memo outlining the timeframes for project completion and listing completed work was submitted to the Board as Exhibit A-4. Mr. Forrest noted that the street opening dates were not included in the memo, as requested by the Board. Mr. Galvin said that the streets were to be opened six months from the date of the resolution, which would be May 6, 2004.

Ms. Banyra asked if any utility improvements were anticipated. Mr. Lanza stated that the lines have already been installed. Ms. Wilday inquired if the project had a waterfront development permit and permits from the DEP for drainage. Mr. Lanza said that they were not required to have permits from the DEP. Mr. Pantel responded that there had been no material changes to the plan since they received their original waterfront development permit. Ms. Banyra requested that any correspondence involving the waterfront or DEP permits be copied to the Board Engineer.

Mr. Blinder resumed his testimony and began the PowerPoint presentation to respond to questions raised by the Board at the last meeting. Slide 1 showed the contrasting brick colors, windows and rooftops used to differentiate the six story buildings on Washington Street from the thirteen story buildings on 15<sup>th</sup> Street. Slide 2 illustrated the south elevation of the garages on the Sites E&F, which face the adjoining property. The landscape treatment of Building F, between the six story building on Washington and two story building on Bloomfield, was depicted in Slide 3. A trellis with landscaped vines will cover the façade of the

walkway between the buildings. Slide 4 depicted the bricks and landscaping on the west elevation of the garage on Bloomfield. The ornamental garage screens were shown in Slide 5. Slides 6 and 7 portrayed the landscaping and seating areas in the park on Hudson and 15<sup>th</sup> Street.

Mr. Blinder stated it would be nice to add a restaurant to the park area. Mr. Monaco questioned if the area of tables and umbrellas would belong to the public or a proposed restaurant. Mr. Blinder confirmed that the area would be for the public.

Ms. Fox asked if active recreational space was being included in the park. Mr. Blinder responded that they were leaving the space flexible, for the community to use as they saw fit.

Mr. Pantel said that the applicant was willing to include an active recreation area in the area to the north of the park.

Mr. Campos requested that he be included in any discussions with the county regarding installation of active recreation areas (such as basketball or tennis courts), or to discuss any available grants for these types of facilities. Mr. Pantel distributed a booklet entitled, "Hoboken Cove Park Plaza and Children's Play Area Equipment and Structures," marked as Exhibit A-5.

Ms. Banyra stated that due to the large size of the project and the numerous parties involved, there needed to be some recognition by the Board that the final plan may not look exactly like what is being presented. Conceptually, the applicant has presented a realistic plan of what they expect to build.

Mr. DeTrizio asked which specific areas of the project were being considered for the active recreation sites and Mr. Pantel pointed out the three areas. The first was a fenced-in area, created for young children. The second was along the sides of the pavilion area, intended for preteens. The third was the open lawn, anticipated to be an events lawn.

Mr. Galvin stated that the Board would need additional time to formulate conditions regarding active recreation areas and that the issue could be addressed at a later date, after the matter was discussed with city officials. Ms. Banyra said the project was being completed in concert with the city. The Board has jurisdiction to request active recreation areas, but does not have jurisdiction over all aspects of the project. Mr. Campos noted that the county has submitted an alternate plan for the area. Ms. Banyra stated that the plan may be modified to change the areas which the county has jurisdiction over.

Michael Maris was sworn and his credentials as a traffic expert were accepted by the Board. Mr. Maris informed that he had studied the impact of the revised plans to determine if the 1998 analysis was still valid. Mr. Maris testified that the construction of 15<sup>th</sup> Street would be an asset, because it directed traffic away from the heavily congested area of 14<sup>th</sup> Street. An illustration entitled “Arrival and Departure Distributions” was marked as Exhibit A-6, showing the areas where traffic is coming and going. It included a comparison of existing traffic to projected amounts. Exhibit A-7, an illustration entitled “Planned Improvements,” identified areas where traffic signals needed to be improved or installed. Exhibit A-8, a graphic entitled “Levels of Service,” summarized the levels of service with and without the proposed improvements. Mr. Maris summarized that the improvements proposed in 1998 were still valid for the current project.

Mr. Pantel asked how drivers would access the garages. Mr. Maris stated that residents would swipe a card to gain access to the garage. Short-term and monthly users would be issued a ticket from a machine. Mr. Maris testified that the card swipe machines and ticket machines were very efficient and worked well in all types of weather.

(A short recess was taken.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Campos.

Absent: Ms. Tyrell.

The Board questioned if a signal could be added at 14<sup>th</sup> and Garden Streets. Mr. Maris explained that, to install a signal, an intersection has to meet certain criteria as to traffic, accidents and pedestrians. It then must be submitted for approval to the city and state. This intersection does not meet the criteria for signal installation. Responding to an inquiry of how traffic patterns were determined, Mr. Maris explained that he considered criteria such as existing traffic patterns, census data and major employment centers. This data was then used to make a judgment call. In order to increase pedestrian safety, Mr. Maris stated that crossing could be prohibited at the corner or speed bumps could be installed, but he stressed that he would not recommend speed bumps.

Peter Steck was sworn and his credentials as a licensed professional planner were accepted by the Board. A summary of Mr. Steck’s testimony was distributed to the Board and marked as Exhibit A-9. The chart listed town ordinances, state laws, zoning ordinances and design standards on one side, and the other side listed Mr. Steck’s commentary. Mr. Steck stated that the

Board must make findings under state law regarding the maintenance of open space, adequacy of public services, no unreasonable impact and phasing. Maintenance and conservation will be mapped out by the Board and the Developer's Agreement. The phasing of improvements will be decided by the Developer's Agreement. Since the garage is being built first, parking will be accommodated for the projects as they are constructed. The project complies with all zoning standards, except for the Tea Buildings, which are pre-existing and trigger no need for relief. As to design standards, the project provides adequate circulation of traffic and integrates with the existing neighborhood. The garage is over in lot coverage, but the remainder of the project is under. The Board previously found that this was not detrimental to the community.

Mr. Steck testified that the applicant has satisfied the statutory criteria of state law and the zoning and urban design standards. Mr. Monaco asked if any variances were required. Mr. Pantel responded that one variance was required, but was already granted.

A motion to close the hearing was made by Mr. DeTrizio, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Campos.

A motion to carry the matter to the February 3 meeting, without further notice, was made by Ms. Fox, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Campos.

## **601 9<sup>th</sup> STREET**

A motion to carry the matter to the February 3 meeting, without further notice, was made by Mr. Campos, seconded by Ms. Fox, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Campos.

## **720 MONROE STREET**

Joseph Daily, Esq. appeared on behalf of the applicant. Ms. Banyra explained that the applicant has an Amended Preliminary Site Plan, and is seeking Final Subdivision Approval and Final Approval of Phase One. Some architectural



changes were made to the building and presented to the Subcommittee. The Subcommittee directed the applicant to appear before the full Board.

The applicant, Dil Hoda, was sworn. A color rendering of the building was marked as Exhibit A-1. Changes were made to the façade to transition from the industrial buildings to the low-rise buildings. They are using bricks similar to those on the facades of the buildings being constructed in the area. Brick samples were marked as Exhibit A-2. A façade rendering marked Exhibit A-37 at the original application was presented to the Board.

Ms. Banyra stated that the applicant was not testifying as to the materials or product, only to seek guidance from the Board. The appropriate experts will appear before the Board. Mr. Monaco questioned why the plans were changed, since the applicant had already received approval.

Mr. Hoda said that he was advised that the building looked “smarter” from a marketing standpoint and was more similar to the buildings being constructed in the area. The square footage, height and lot coverage are essentially the same as in the original application. Changes were made to the balconies, but they still meet the façade ordinance.

The Board members examined and discussed the changes to the brick and metal. Ms. Banyra requested that the applicant bring the old and new exhibits to the next meeting for the architect to compare.

The matter was carried to the February 3, 2004 meeting.

## **ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 10:30 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar

Hoboken, New Jersey, February 3, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:20 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

Absent: Ms. Wilday.

Also present were Dennis Galvin, Esq., Attorney to the Planning Board, Kristen Russell, Chas Holloway, Board Engineer, Elizabeth Vandor, Board Planner, Cathy DePalma, Secretary to the Planning Board.

## **627 WASHINGTON STREET**

The applicant requested that the matter be carried to the March 2, 2004 meeting. A motion to carry the matter, without further notice, was made by Vice-Chairman Monaco, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **528 RIVER STREET**

## **369 OBSERVER HIGHWAY**

The applicants requested that the matters be carried to the March 2, 2004 meeting. A motion to carry the matters, without further notice, was made by Vice-Chairman Monaco, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **128-130 JACKSON STREET**

A motion to carry the matter to the February 25, 2004 meeting, without further notice, was made by Mr. Campos, seconded by Mr. Mooney, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **208-220 CLINTON STREET**

A motion to carry the matter to the February 25, 2004 meeting, without further notice, was made by Vice-Chairman Monaco, seconded by Mr. Mooney, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **1500 HUDSON STREET**

The applicant submitted a copy of Exhibit A-2. The matter was carried to the February 25, 2004 meeting.

## **APPROVAL OF MINUTES**

A motion to approve the minutes of December 6, 2003 and December 8, 2003 was made by Ms. Falco, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **CORRESPONDENCE**

The City Council requested that the Planning Board perform a preliminary investigation of the following city blocks and lots to determine if they meet the criteria for areas in need of redevelopment: Blocks 123, 125, 126 (Lots 1,2,3), 133, 134, 136 (Lot 6.2), 141, 142, 143, 144, 145, 146 and 256.

A motion to engage the Burgess Firm to prepare the study was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos.

No: Ms. Fox.

Abstain: Ms. Tyrell, Mr. Forrest.

## **900-1030 MADISON STREET 901-1031 MONROE STREET**

Frank Leanza, Esq. appeared on behalf of the applicant. Mr. Holloway said that the landscaping at the site was essentially complete. Ms. Vandor stated that the clock had not yet been installed in the clock tower and the decorative elements had not yet been added to the windows on Madison Street. Mr. Leanza explained that the frame and brackets for the clock needed to be sent back to be refitted for the tower. He also stated that additional masonry work was required on Madison Street, but represented that the decorative elements would be added when the work was complete.

A motion to approve the Final Site Plan, subject to the completion of the clock tower and decorative elements within 90 days, was made by Vice-Chairman Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **825-835 ADAMS STREET**

Chairman Monaco stated that Mr. Campos would not be present during the hearing for this matter, nor would he vote on the application.

John O'Donnell, Esq. appeared on behalf of the applicant for Final Site Plan Approval. Mr. O'Donnell explained that no variances were being requested. The only change since the Preliminary Site Plan Approval was that one unit and one parking space were removed.

Chairman Mooney called for questions from the public.

Elliott Fishman, 402-- 9<sup>th</sup> Street, was sworn before the Board. He is a resident of Columbus Condominiums. Mr. Fishman stated that the two towers are 5 over 1, which blocks the view of the residents in his building, and also violates the intent of the Ordinance.

Mr. Marchetto was sworn. Mr. Marchetto responded that the project is only 4 over 1. The stair and elevator bulkheads extend past the roofline, but this is permitted by the Ordinance. Mr. Holloway and Ms. Vandor agreed that the applicant was in compliance.

A motion to approve, subject to the engineer's on-site review to determine plan compliance, was made by Vice-Chairman Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Ms. Tyrell Ms. Fox, Mr. Forrest.

## **720 MONROE STREET**

Glen Kienz, Esq. appeared on behalf of the applicant for Final Sub-Division Approval and Final Site Plan Approval on Phase I. Mr. Kienz stated that the applicant had previously appeared before the Board and requested comments on the project.

Mr. Campos stated that, as a member of the City Council, he had been approached by a resident about an event that took place on New Year's Eve. Mr. Kienz said that an unsigned letter had been sent out. He agreed that the matter must be dealt with, but not in this forum. Mr. Kienz assured the Board that the space was approved for arts-related events. Mr. Campos felt that charging for tickets for a New Year's Eve party was a liberal interpretation of "arts-related."

Mr. Forrest said that it was his understanding that the artists were to remain in the building, but he had recently heard otherwise.

Dil Hoda was sworn. Mr. Hoda responded that their position had not changed as to the artists remaining in the building.

Ms. Vandor questioned if the building where the New Year's party had taken place had been renovated for the approved use and Mr. Hoda answered that it had not. Ms. Vandor stated that since it had not yet been renovated, it was not a violation of a Planning Board approval.

Mr. Galvin inquired if the applicant was in compliance. Mr. Holloway explained that there was a report entitled "Construction Sequencing Phasing Plan" which clearly outlined what must be accomplished in each phase. It was Mr. Holloway's opinion that no items were outstanding and he had no objections to approving the project.

Mr. Forrest and Mr. Campos questioned if Mr. Hoda had been aware of the plans for the New Year's Eve party. Mr. Hoda responded that he was aware of the plans, but not the details. The Commissioners encouraged Mr. Hoda to work with the neighbors and City in planning future events so as not to anger the neighbors and to make accommodations for things such as parking and street closings.

Burt Crystal, 715 Monroe Street, said that he was for the project but, due to its proximity to the light rail station, was concerned it would become similar to the area around the PATH station. He said that the police are always breaking up fights in front of Planet Hoboken. The applicant attempted to get a liquor license for the entire block.

Mr. Crystal said that the ABC didn't address the size of the proposed restaurant, which is 3,000 square feet. The code allows for a maximum of 1,000 square feet. The applicant did not request a variance. Mr. Crystal also said that some architectural improvements could be made to the building. Single pane windows were installed which are not energy efficient and are not soundproof. Even with the windows closed, he can hear a drummer practicing in the building. There is also a problem with the fire alarm. It is being set-off on a regular basis for unknown reasons.

Mr. Galvin responded that their professionals had found the plan to be in compliance.

Ms. Vandor explained that 3,000 square feet is the gross footage for all of the space. Each individual retail unit is allowed 1,000 square feet of customer service area for eating and drinking, which does not include the storage area, kitchen or bathrooms.

Ms. Vandor stated that it was part of the original plan to address the façade details as each phase was completed. Since it is such a large project, it was anticipated that a Committee would be formed to study the details of each phase.

A motion to form a Committee to study the landscaping and façade details was made by Mr. DeTrizio, seconded by Mr. Mooney, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Ms. Fox, Ms. Tyrell, Mr. Forrest, Mr. Campos.

A motion to approve the Major Final Sub-Division Application was made by Mr. Forrest, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Ms. Fox, Ms. Tyrell, Mr. Forrest, Mr. Campos.

A motion approving Major Final Site Plan Approval for Phase I, with conditions set forth in January 23 Birdsall letter and Burgess letter, was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Ms. Fox, Ms. Tyrell, Mr. Forrest, Mr. Campos.

A motion to carry the remainder of the application to April 6th was made by Mr. DeTrizio, seconded by Mr. Campos, and adopted by the following votes:

YES: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Ms. Fox, Ms. Tyrell, Mr. Forrest, Mr. Campos.

(A short recess was taken at this time.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

## **601 9<sup>th</sup> STREET**

John Curley, Esq. appeared on behalf of the applicant. They are proposing a six story building, five stories of residential over one level of parking. The location of the property gives the applicant the option of proceeding under the Zone 1 or Zone 2 Ordinance. The applicant has chosen to proceed as a Zone 1 and is requesting three variances.

Michael Gelfand was sworn and his credentials as an architect were accepted by the Board. Mr. Gelfand described the three variances sought. First, a roof terrace is proposed, adding 855 square feet. This exceeds the allowable 5% lot coverage for balconies, decks and bay windows. Second, a canopy is being put up on 9<sup>th</sup> Street over the retail space. A variance is requested for the canopy to wrap around the corner. Third, a façade variance is requested for the glass curtain wall. A rendering of the building was marked as Exhibit A-1.

Ivan Ilyashov was sworn and his credentials as a planner were accepted by the Board. Exhibit A-2 was marked, showing the view of the site from the light rail station. Mr. Ilyashov presented the two colors of brick and two colors of painted metals being utilized in the façade. He described the metal work, sills and the base of the building. Mr. Ilyashov explained that since the applicant is proceeding under the Zone 1 approach, the stoop was designed to start at the street and split off to two apartments.

Mr. Forest asked if the building was going to be condominiums or rental units and Mr. Curley responded that it was anticipated that the units would be condominiums, subject to changes in the market conditions.

Ms. Tyrell asked about the stoops. Mr. Gelfand described the stoops as wrought iron, made of steelwork and a decorative rail. The stoop reaches a landing and then splits.

Ms. Vandor noted that the applicant is requesting a height bonus of one foot per floor by providing two stoops. Having written the language of the bonus Ordinance, Ms. Vandor asserted that the proposal did not meet the intent.

Mr. Gelfand explained that due to the narrow frontage and the exit and entrance to the garage, it was not possible to build two.

Ms. Vandor commented that she had seen other variations and requested that it be redesigned so there are two distinct sets of stairs coming down to the sidewalk.

Mr. Forrest wondered how wide the stoop was and Mr. Gelfand said that it was 6 feet and the landing was 4 feet. Mr. Campos asked if anything else could be done, such as adding a bump-out, to allow the stoop. Ms. Vandor explained that there was nothing else that could be done, other than building two separate stoops, to meet the requirements for the bonus height.

Ms. Vandor offered to show the applicant acceptable variations for the stoop. Ms. Vandor then reviewed the language regarding balconies, decks and bay windows and found that the variance for the roof terraces was not required for this project.

When questioned regarding the garage windows, Mr. Gelfand confirmed that the windows would be translucent, but not transparent.

Mr. Forrest asked if the applicant did not want to deal with the bonus height issue, could they come back under the Zone 2 option and build a 13 story building. Ms. Vandor stated that the applicant could start over and bring a Zone 2 application for the site.



A motion to carry the matter to the February 25, 2004 meeting was made by Vice-Chairman Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Forrest.

**ADJOURNMENT:**

There being no further business to attend to, the meeting adjourned at this time: 10:10 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.  
Operations Manager

CJT/jar

Hoboken, New Jersey, February 25, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Council Chambers of City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:10 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

### **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco (late), Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

Absent: Ms Tyrell, Ms. Falco, Ms. Fox, Mr. Forrest.

Also present were: Dennis Galvin, Esq., Board Attorney, Donna Holmquist, Board Planner, Glen Lines, Board Engineer, Cathy DePalma, Secretary to the Planning Board.

Ms. DePalma declared a quorum present.

Chairman Mooney welcomed and introduced Commissioner Orsini as a new Member of the Planning Board.

### **1500 HUDSON STREET**

Mr. Galvin stated that the applicant requested the matter be carried to the March 2nd meeting, and has agreed to waive the time limitations on the Board. Andy Norman indicated that he has a letter confirming that request.

A motion to carry the matter to the March 2nd meeting, without further notice, was adopted by unanimous vote.

Mr. Monaco joined the meeting at this time: 7:15 p.m.

### **208-220 CLINTON STREET**

Robert Matule, Esq. appeared on behalf of the applicant and presented proof of mailing and publication for the February 3<sup>rd</sup> meeting, which was carried by the Board. The applicant is seeking Amended Preliminary Site Plan Approval and Final Site Plan Approval, as the building is essentially complete. A Final Subdivision is also being requested.

Alan Wajswol, a member of Intrepid Holdings, was sworn. Mr. Wajswol testified that he is requesting Amended Preliminary Site Plan Approval to remove a gymnasium included in the original application, and replace it with an office. The office staff consists of four people and there will be no change in the number of employees after moving into the space.

Ms. Holmquist asked about the number of parking spaces needed. Mr. Matule stated that parking is required, one space for every 400 square feet. The office is 2,200 square feet and, therefore, requires six spaces.

Ms. Wilday asked if the office space would be rented to anyone else. Mr. Matule responded that if the applicant moved out, someone else could move in. There is no prohibition against it. The applicant would be willing to agree, as a condition, to reserve a set number of parking spaces for the office. Mr. DeTrizio inquired if extra spaces would be made available to the public. Mr. Wajswol explained that, due to security concerns, he would prefer to keep the spaces for the tenants.

Mr. Wajswol stated that the landscaping was not yet completed, as contractors are still working in that area of the project. A \$2,500 bond was to be posted to ensure completion of the landscaping.

Ms. Holmquist noted the recalculation of the roof coverage was submitted and complies with the ordinance. They have also reviewed and accepted the revised traffic report.

Ms. Wilday questioned if the application had been sent to the Shade Tree Commission. Mr. Wajswol stated that the application was reviewed and trees were planted in accordance with the three options provided by the Commission.

A motion to close the hearing was made by Mr. Campos, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

A motion to approve the Amended Preliminary and Final Site Plan was made by Mr. Campos, on condition that: (1) four spaces would be reserved for office use;

and (2) a \$2,500 bond would be posted to ensure completion of the landscaping, seconded by Ms. Wilday, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

A motion to approve the Final Subdivision was made by Mr. Campos, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

## **128-130 JACKSON STREET**

Stephen Spector, Esq. appeared on behalf of the applicant for Minor Site Plan Approval. The proposed project consists of 8 residential units with one level of parking.

Frank Minervini was sworn and his credentials as an architect were accepted by the Board. Mr. Minervini testified that he prepared the plan for the site, which was last revised on October 14, 2003. The project will consist of 3 levels of residential over one level of parking. Seven parking spaces will be provided. A variance for lot coverage is requested, 61.3% where 60% is allowed.

A variance is also requested to accommodate two balconies, which provide outdoor space for residents. The first level of residential units will have ownership of the rear yard. The second level will have balconies and the third level will have access to roof decks. A roof coverage variance is being requested for 15%, where 10% is allowed.

Mr. Minervini further explained that the garage entrance will be at the southern end of the building. He acknowledged that the space was tight, but noted that two other buildings have used the same design. The garage will be mechanically ventilated and will have access to the rear yard and lobby. Mr. Minervini discussed a letter he received from the Planner requesting an explanation of the parking garage design and informed the Board that they proposed an 11-foot access aisle where 12 feet is required. Two spaces are smaller than allowed, but removing one of the doors to the rear yard would correct that problem.

The landscaping consists of two small planting areas in the front of the building and two street trees. Two trees will also be provided in the rear yard, along with shrubbery and a six-foot wood stockade fence. The trees in front will not interfere with the utility pole and the species will be selected under the guidance of the Shade Tree Commission.

The curb and sidewalk will be replaced, as recommended in the Birdsall letter.

Mr. Spector stated that it would not be possible to regulate the landscaping in the rear yard, as the space would be owned by the tenants, who could remove any plantings.

Mr. Galvin pointed out that this could be added as a condition.

Responding to a letter written by the Engineer stating that the lighting level exceeded recommended levels, Mr. Minervini said that the plans would be modified to lower the wattage.

Mr. Galvin inquired if the balconies and roof decks would present any negative impact and Mr. Minervini testified that they would not.

Mr. Monaco expressed concern about residents going outside of the deck area on the roof and Mr. Spector responded that there would be a railing around the roof deck, sectioning off the area.

Ms. Holmquist questioned if the balconies and roof decks were compatible with the neighborhood. Mr. Minervini indicated that they were compatible with the newer buildings in the area. Ms. Holmquist asked that parking spaces 3 and 4 be reconfigured to avoid the cars being blocked in. Ms. Wilday felt that parking spaces 1 and 2 could be improved, as tenants would be required to back out of the garage and Mr. Minervini acknowledged that the space was very tight.

Ms. Wilday requested that the applicant consult with a professional to redesign the landscaping plan. The applicant agreed to revise the sidewalk to match plans for the rest of the block.

A motion to close the hearing was made by Mr. Campos, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Monaco, Vice-Chairman Mooney, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

A motion to approve the application subject to the following conditions: (1) the plan will be revised to show curb cuts to be conforming with the Ordinance; (2) revise plans to remove a garage door; (3) remove legend from revised plan; (4) revise landscape plan in compliance with Planner's landscaping comments; (5) master deed to restrict elimination of landscaping in rear yard and prohibit use of roof other than deck space; (6) revise plan to incorporate comments of Board Engineer in letter of 2/23/04; (7) revised parking plan to be submitted to Board and receive approval from Planner and Engineer; (8) pavers and concrete sidewalk to meet City's proposed streetscape; and (9) lighting plan to be revised and submitted to the Board Engineer was made by Mr. Monaco, seconded by Mr. Campos and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

(A short recess was taken.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

### **601 9<sup>th</sup> STREET**

John Curley, Esq. appeared on behalf of the applicant in a continuation of a hearing. Mr. Curley inquired if Board members not present at the previous hearing had an opportunity to review the transcript. Ms. DePalma confirmed that Mr. Orsini had been provided with a copy of the transcript. Mr. Curley stated that a redesign of the stoop would be presented and only one variance remained for the glass curtain wall. Ms. Holmquist stated that Ms. Banyra was of the opinion that the encroachment variance still applied.

Michael Gelfand was called to continue his previous testimony. Mr. Galvin reminded Mr. Gelfand that he was still under oath.

Mr. Gelfand explained that the previous stoop design was not acceptable to the Board; therefore, a new design was being presented. The illustration was marked as Exhibit A-3. Mr. Gelfand stated that the width of the staircases was 4 feet each. Mr. Gelfand stated that the curtain wall was being included for esthetic purposes.

Andrew Missey was sworn and his credentials as a professional engineer were accepted by the Board. Mr. Missey presented an illustration of the site plan and explained that the project is located in a mixed use area. The applicant has chosen to proceed under the Zone One Option. Mr. Missey described the area surrounding the project. The existing site is a paved parking lot. They are proposing a 52 unit residential building with retail spaces at Jackson & 9<sup>th</sup> and Monroe & 9<sup>th</sup>. Two driveways are proposed and utilities will be connected to those existing at the site. The utilities previously powered the industrial developments in the area and are adequate to service 52 residential units. The applicant has confirming letters from the service providers. Storm drainage will be added and they will rebuild an inlet. There are no additional engineering impediments to constructing the site. Mr. Missey will revise his plans to reflect the new stoop configuration.

Mr. DeTrizio asked if the transformers were located above ground. Mr. Missey responded that the transformers would be placed on Monroe, near the stairway. Ms. Wilday inquired if the transformers would be screened or landscaped. Mr. Missey responded that the area would be landscaped, and the landscape

architect could provide specifics. Ms. Wilday indicated that the Board prefers transformers to be placed below grade or inside buildings. Mr. Missey stated that projected expense was out of proportion for a 52 unit building and estimated the cost to be \$75,000. PSE&G will provide a service mount at no charge and the total cost to the applicant would be about \$1,000. To go below grade, they must purchase a special transformer and meet OSHA requirements. Mr. Missey did not know the cost of placing the transformer inside the building. Mr. DeTrizio requested that that information be provided.

Ms. Wilday asked if affordable housing or contributions to affordable housing were being provided. Mr. Curley stated that, per the Developer's Agreement, \$1,500 per unit is being contributed to affordable housing.

Thomas Carman was sworn and his credentials as a landscape architect were accepted by the Board. Mr. Carman reviewed a rendering of the streetscape, marked Exhibit L-1 in the previously submitted application. The street pavers will be modular open-joint pavers, per the requirements of the Shade Tree Commission. A 3 \_ foot evergreen hedge will be planted around the transformer and maintained at a height of 4 feet. Mr. Carman described the various species of trees, hedges and flowers to be planted along the street, in front of the building and in the courtyard. The trellis along the property line will have a flowering vine, used to separate this project from the Monroe project.

Mr. Carman discussed the decorative lighting, marked as Exhibit L-2 in the original application. The streetlights have been reduced to 10 feet in height and 100 watts in keeping with the Board's recommendations in other projects.

Mr. DeTrizio questioned if the streetscape would blend in with Monroe Center and Mr. Carman responded that he would review what is being done in the project as far as tree species and pavers so that it will look uniform. Mr. Carman also indicated that the plans have been approved by the Shade Tree Commission.

John Pavlovich was sworn and his credentials as a traffic engineer were accepted by the Board. Mr. Pavlovich testified that he conducted a traffic impact assessment of the project and found that there would be no appreciable changes in the level of service, as projected through 2006. He estimated that there would be 10-15 automobile trips generated from the building during peak hours. Ms. Wilday inquired if the increased pedestrian traffic from the light rail station would create any difficulties in crossing. Mr. Carman responded that the crosswalks and yield-to-pedestrians signs were sufficient.

A motion to close the hearing was made by Mr. DeTrizio, seconded by Mr. Campos, and adopted by the following votes:



Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

A motion to approve the application subject to the condition that paver band colors and trees will match the adjacent project on Monroe was made by Mr. DeTrizio, seconded by Mr. Campos and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Mr. Orsini.

## **ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 9:24 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,

Operations Manager

CJT/jar

Hoboken, New Jersey, March 2, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:04 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox (late), Mr. Forrest, Mr. Orsini.

Absent: Ms. Tyrell.

Also present were Dennis Galvin, Esq., Board Attorney, Eileen Banyra, Board Planner, Chaz Holloway, Board Engineer, Cathy DePalma, Secretary to the Planning Board.

Ms. DePalma declared a quorum present.

## **APPROVAL OF MINUTES:**

A motion to approve the minutes of January 6, 8 and 28, 2004 was made by Ms. Falco, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini.

## **RESOLUTIONS:**

### **1401 Washington Street**

A motion to adopt the Resolution was made by Mr. Campos, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Mr. Forrest.

Commissioner Fox joined the meeting.

### **59 13<sup>th</sup> Street**

A motion to adopt the Resolution was made by Mr. Campos, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest.

### **1017 Jefferson Street**

A motion to adopt the Resolution was made by Mr. DeTrizio, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest.

### **720 Monroe Street**

Mr. Galvin stated that three Resolutions were being presented for the project. The first was for Final Major Subdivision Approval. The second was for Final Site Plan Approval for Phase One, and the third was for an extension of time until June for Phases Two through Five.

A member of the public, Curtis Crystal, 713-715 Monroe Street, asked to make a comment before the vote was taken. Mr. Galvin interjected that he had found out from the Zoning Officer, earlier in the day, that work was being done at one of the buildings without complying with building code procedure. Specifically, the applicant failed to obtain a building permit and there was a question if the work was compliant with the plan. Ms. Fox asked if this information should be considered as part of the vote. Mr. Galvin stated that the Zoning Officer was the enforcement arm of the City of Hoboken. Mr. Campos felt that the applicant's failure to follow the building code procedure undermined the authority of the Board. Mr. Forrest agreed and requested that Mr. Campos take the matter up with the City Council.

Mr. Crystal submitted photographs of a New Year's Eve party that was held on the property and stated that he had videotape that he could make available to the Board. He also submitted a printed ad regarding an event to take place on the property.

Since neither the applicant nor the applicant's attorney was present, Mr. Galvin advised that the proceedings should be stopped until a representative could be present to respond.

A motion to table the Resolutions was made by Mr. Campos, seconded by Ms. Fox, and adopted by the following votes:

Yes: Chairman Mooney, Ms. Wilday, Mr. Campos, Ms. Falco, Ms. Fox.

No: Mr. DeTrizio.

Abstain: Mr. Monaco.

**900-1030 Madison Street  
901-1031 Monroe Street**

A motion to adopt the Resolution, with the condition that a \$5,000 bond will be posted for completion of the clock tower, was made by Mr. DeTrizio, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco.

Abstain: Ms. Fox.

**825-835 Adams Street  
800-830 Grand Street**

Mr. Galvin stated that the Resolution presented was for Final Site Plan Approval. A representation had been made that the work had been completed, but Mr. Holloway advised Mr. Galvin earlier in the day that certain areas were not complete.

Mr. O'Donnell, attorney for the applicant, stated that the applicant recognized that certain work had not yet been completed and they were willing to post a performance bond. Mr. O'Donnell stated that 110 units had been sold and closings were scheduled for April. It would be necessary to obtain a C.O. in order to proceed with the closings.

A motion to adopt the Resolution on condition that a performance bond would be posted in an amount to be determined by Mr. Holloway was made by Mr. Monaco, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco.

**1500 Hudson Street**

The Board members, Ms. Banyra, Mr. Holloway and Mr. Pantel, attorney for the applicant, discussed and modified thirty conditions as part of the Resolution:

1. The applicant must comply with conditions set forth in the Resolution of approval dated November 6, 2003, and previous Resolutions, granting the applicant a C-2 variance;
2. The applicant shall develop or improve the subject premises consistent with this Resolution and submitted plans;

3. The grading near the bridge shall be graded in conformance with the Developer's Agreement;
4. The applicant must have all required permits from the appropriate governmental entities necessary to open all streets within the PUD and the streets must absolutely be open no later than May 6, 2004. No further permits, other than those needed for road openings, shall be issued until all streets are open;
5. The Board must be notified of any unforeseen problems that arise while obtaining the required permits to open the streets;
6. The site will be required to satisfy all permits and approvals from the NJDEP, particularly regarding the site remediation approvals and shall submit all permits, approvals and correspondence to the Planning Board and Planning Board Engineer;
7. The two handicapped parking spaces located on the SW corner of 15<sup>th</sup> and Garden will be redesigned, realigned or relocated with the assistance of the Board Planner to provide an improved function of the Garden Street streetscape;
8. Although pets are not currently allowed in the building, if the tenants are permitted to have pets in the apartments in the future, the applicant will work with the City to take appropriate measures to accommodate pets;
9. Parking restrictions for the garage are to be determined by the Board. The garage is not to be used as a park-and-ride facility. The parking garage operational plan for retail and tenant space shall be submitted to the Planning Board professionals for review and approval. (The Board discussed reserving spaces for ZIP cars. A poll of the Board members voted against allowing the spaces);
10. The applicant must execute a Developer's Agreement with the County and the City in a form satisfactory to the City Council and County, outlining each part's responsibilities and obligations in implementing and maintaining the park area;
11. The open lawn free play area, the pre-teen play area, the tot lot, and the pavilion shall be constructed in accordance with the applicant's submitted plans, including the landscape plan. The open space and recreational plan and the landscaping plan, as prepared by Hart Haverton, are considered working plans that are approved as to the conceptual layout, design and materials, as discussed at the meeting of December 8, 2003;
12. The northerly open lawn, the open lawn free play area and events lawn may contain areas of programmable space, including areas of active recreation which are to be defined in the Developer's Agreement between the applicant and the City;
13. The park area that was retained by the developer will be constructed in accordance with the Developer's Agreement;
14. Upon completion of park improvements, the park area will be conveyed per the Developer's Agreement;

15. *Deleted section regarding time frame to complete park project;*
16. The project will be constructed in phases as set forth in the section plan C-12, the memo outlining the timeline for the completion of the project;
17. The proposed parking garage must be the first building completed as part of the application;
18. All landscaping plans must be submitted to the Board's Planner for review and approval;
19. *Deleted section regarding changes to be made to the pedestrian crossings;*
20. *Deleted section about working with City professionals regarding the bridge;*
21. The rooftops of the buildings will be landscaped to the greatest extent possible, in particular, the rooftops of Buildings D and E, as well as access to landscaping for Building F.
22. The large specimen trees of a caliper of 4 \_ inches will be located at the end of Washington Street and at the focal points within the project. The size and species will be included in the revised landscaping plan. The plan will also indicate the location of the irrigation system planned for the project;
23. The pocket park located on the west corner of Hudson and 15<sup>th</sup>, adjacent to the retail uses, will be a public space to be shared with retail users;
24. *Deleted section regarding street openings;*
25. The buildings will be of a brick and masonry construction with fenestration and materials as testified to by Dick Blinder. The revised building heights, architectural details, materials and articulation will be as testified to in the revised plans, incorporating all of the changes. The brick materials will include 5-6 different kinds of brick that will be coordinated with other building materials used, so as to complement both the existing and proposed development;
26. The parking garage structure will be of brick construction with a glass stairwell. Its design vocabulary will respect the historical character of the community and its use within a residential neighborhood, in accordance with approved plans. The garage will have substantial landscaping on the street, as well as the planter boxes with perennials, to help obscure the parked vehicles;
27. The parking garage will include awnings at the exits, as well as the garage entrances to further break up the façade mass;
28. Due to the nature and function of Garden Street, the landscaping and tree plantings along Garden Street will be revised so as to reduce sidewalk width.
29. The alleyways between the backs of the 14<sup>th</sup> Street buildings and the Cove's proposed buildings will be improved as public space with pavers and landscaping, to the extent permissible given the constraints of the

space and the limited natural lighting. Windows and other openings to improve visual access will be encouraged;  
30. Historic plaques will be added to the buildings, in cooperation with the Historic Commission.

A motion to approve was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini

## **528 RIVER STREET**

The applicant requested an adjournment of the matter, until the next meeting without further notice.

A motion to carry the matter was made by Mr. Campos, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini.

(A short recess was taken.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. DeTrizio, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini.

Absent: Ms. Tyrell.

## **800 JACKSON STREET**

A motion to carry the matter to the April 6th meeting, no further notice required, was made by Mr. Campos, seconded by Ms. Fox, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini

## **627 WASHINGTON STREET**



Michael Lavigne, Esq. appeared on behalf of the applicant. AT&T is proposing to add 2 antennae to an existing site. The property is located in an R-1 Zone and in a historic district. The applicant has received permission from the Historic Commission to proceed. The addition of the two antennae at the site expands coverage area without having to acquire a new site. Minor Site Plan Approval is required, along with a height variance. The antennae are 8 feet 5 inches tall, where 8 feet is allowed. The antennae are not taller than the existing antennae or roof structures.

Galen Delen was sworn and his credentials as a radio frequency specialist were accepted by the Board. Exhibit A-1 was presented, illustrating the existing site and existing areas of coverage. An overlay was marked as Exhibit A-2, indicating the areas to be covered by the proposed antennae. A written version of Mr. Delen's analysis of the project was marked as Exhibit A-3. Mr. Holloway requested a written resume from Mr. Delen to be included as part of his report, which he agreed to provide. A drawing marked Exhibit A-4 depicted the areas of existing coverage and proposed coverage.

Mr. Campos informed that at a previous hearing in a similar matter, the applicant was required to hire an independent expert, at his own expense to confirm that the emissions from the antennae were in compliance with FCC regulations. Mr. Lavigne said the applicant would be willing to agree to that as a condition.

Ms. Banyra stated that there are priority areas in the City for putting up the cell phone antennae. This particular site is in a residential zone and a historic district, making it a 7 or 8 on the priority scale. Ms. Banyra asked if anyone from the site acquisition team would be testifying. Mr. Delen explained that a site can cover approximately one mile. The site selected was at the center of the search range. From an RF perspective, moving the antennae would miss the targeted area. They felt it would be more appropriate to add at an existing site, rather than install antennae at a new site. Ms. Banyra indicated that the City is only about a mile and a quarter, and asked for further explanation as to obstruction of the signal. Mr. Delen said the distance is limited by the buildings, making it less than one mile. High population areas require more antennae, due to capacity and the terrain.

The Board called for questions from the public.

Daniel Thompson, 230 Park Avenue, said that he had requested a copy of the radio frequency specialist's report. Mr. Delen provided a copy to Mr. Thompson. Mr. Thompson expressed concern about the level of radiation emitted from the antennae. Mr. Galvin reminded Mr. Thompson that the applicant is required to show FCC compliance by hiring an expert. Mr. Campos instructed that Mr. Thompson could submit his findings to the applicant's expert to review.

Terrance Lulay was sworn and his credentials as an engineer were accepted by the Board. Mr. Lulay described the existing antennae and support structure and indicated that the proposed antennae will be similar. The cables and electronic equipment will be located next to the existing equipment. There will be no advertising signage. Ms. Fox inquired if any screening would be provided. Mr. Lulay responded that the supports are not visible from the street. The building is 60 feet in height and the Ordinance only requires the building to be 40 feet in height to install an antenna.

Mr. Forrest commented that the applicant had installed some undesirable looking antennae prior to the Ordinance coming into effect and asked what could be done at the site. Mr. Lavigne stated that the Historic Commission preferred the rooftop mounting over the façade mounting, and had not recommended screening.

Mr. Campos inquired if screening had been discussed with the Historic Commission and Mr. Lulay confirmed that it had not.

Mr. Lulay stated that a stealth structure would create a tremendous wind load that the ballast mount could not support. The antennae would have to be physically attached through the roof or walls. Mr. Lulay indicated that a structure could be added to the roof to support the screening.

Ms. Banyra questioned if the antenna could be consolidated and Mr. Delen responded that the antennae are spaced to minimize interference with the radio frequency and to minimize deflection. They require 2-4 feet of space.

Mira Becker was sworn and her credentials as a licensed professional planner were accepted by the Board. An aerial photograph of the site was marked as Exhibit A-5. A photograph of the existing site with antennae was marked as Exhibit A-6. A photo array of the existing site with the additional two antennae superimposed on the picture was marked as Exhibit A-7. Ms. Becker stated that the photographs were taken under her supervision and reviewed the existing and proposed antennae with the Board.

The Board members considered flush mounting the antennae to the side of the buildings. Members found the sides to be unattractive and discussed the possibility of adding a flush mounting and then painting the sides of the building. Mr. Lavigne indicated that the building was located on the lot line, and any screening added would encroach on the neighbor's lot.

Ms. Fox asked about the different types of screening available and Mr. Lulay described fiberglass material that can be made to look like a bulkhead or a smokestack. There are also stealthing screens available.

Ms. Banyra indicated that cleaning up the sides of the building would advance the applicant's request for a variance. Ms. Becker remarked that since the site is located in a residential district, creating stealth structures to look like bent pipes or smoke stacks may not be appropriate and may exacerbate the condition. Ms. Banyra stated that they would defer to the Historic Commission if the Commission is amenable to the flush mounting.

Ms. Falco inquired if other sites were considered for the antennae. Ms. Becker stated that much of Hoboken is zoned residential and in order to provide comprehensive coverage, it becomes necessary to add antennae in these zones. This building is the tallest residential building in the area, which is a factor in the site choice. Ms. Becker stated that one of the goals of the Ordinance is to minimize the number of sites, and this existing location fills the gap and provides the appropriate RF frequency, without adding an additional site.

A motion to approve the application subject to the following conditions: (1) improvements will be made to the side of the building; (2) the applicant will provide two RF transparent stealth boxes, one on the north side and one on the south side, to enclose the existing and proposed antennae; (3) the applicant will resubmit the plans to the Historic Commission; (4) an RF expert will review the FCC Compliance data; (5) access to the roof area will be limited to AT&T personnel and authorized personnel, in accordance with FCC regulations; (6) the applicant must comply with FCC regulations regarding cell phone antennae emissions; (7) an RF survey for measurement of emissions must be completed after installation, but before going on-air, by an independent expert to be hired by the Planning Board, based on the recommendation of Eileen Banyra, Board Planner. The results of the survey must show that the applicant is complying with the FCC regulations regarding emissions; (8) the applicant shall pay for the cost of hiring this expert; (9) prior to conducting the radio frequency survey, the independent expert will review the report prepared by a qualified member of the public; (10) pursuant to Ordinance Section 196-35(k)2, the applicant shall post a bond for the removal of any equipment in the event of a technological changes or advancements, or abandonment of the site was made by Mr. Campos, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Wilday, Mr. Campos, Ms. Falco, Ms. Fox, Mr. Forrest, Mr. Orsini.

No: Mr. DeTrizio.

## **369 OBSERVER HIGHWAY**

A motion to carry the matter to the April 6<sup>th</sup> meeting, no further notice required, was adopted by unanimous vote.

### **ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 10:20 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar

Hoboken, New Jersey, April 8, 2004

A special meeting of the Hoboken Planning Board was held on the above date in the Council Chambers, City Hall, Hoboken, New Jersey. Commissioner DeTrizio called the meeting to order at 7:22 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Orsini, Mr. Forrest.

Absent: Chairman Mooney, Vice-Chairman Monaco, Ms. Fox, Ms. Tyrell.

Also present were: Dennis Galvin, Esq., Attorney to the Planning Board, Elizabeth Vandor, Board Planner, Eileen Banyra, Board Planner and Cathy DePalma, Secretary to the Planning Board.

Ms. DePalma declared a quorum present.

## **APPROVAL OF MINUTES:**

A motion to approve the minutes of February 3, 2004, February 25, 2004 and March 2, 2004 was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. DeTrizio, Ms. Falco, Mr. Campos, Mr. Orsini, Mr. Forrest

## **RESOLUTIONS:**

### **720 Monroe Street**

Mr. Galvin stated that the Resolution was previously submitted for approval and for an extension of time for Phases 2 through 5. The Board not did memorialize the Resolution at that time because unauthorized work was being performed. Glen Keyes, Esq., attorney for the applicant, confirmed that the work has ceased.

Mr. Forrest inquired if other irregularities at the site are being addressed, as complaints are coming in on a regular basis. Mr. Keyes responded that they were working with the Board professionals and construction officials to set up a protocol of activities allowed under the Northwest Redevelopment Plan.

Mr. DeTrizio questioned how the space would be used. Mr. Keyes responded that the space is a center for performing art, encompassing all types of events. Since not everyone agrees on the definition of art, a list is being created. Mr. DeTrizio suggested that the neighbors be consulted and allowed to have some input. Mr. Campos remarked that the neighbors have voiced their opinions and asked that they be taken strongly under consideration. Mr. Keyes stated that they were very sensitive to the concerns raised by the neighbors.

Mr. Forrest asked if the tenants were advised that their previous activities, such as the New Year's Eve party and the selling of alcohol, were prohibited, so the neighbors would not be continually required to contact the police department. Mr. Keyes asserted that this would not be necessary and that there is no public use of the space at this time.

Mr. Galvin suggested that the granting be conditioned on the non-use of that portion. Mr. Keyes agreed to including that as a condition.

Ms. Banyra clarified that anything not explicitly permitted on the list is prohibited. In order for a new item to be added, the applicant would be required to go before the City Council, as it is a redevelopment area. An unknown member of the public expressed concerns about the use of the space. Ms. Banyra clarified that the issue of permitted uses would be resolved as part of this phase of the application. Mr. Campos reiterated that unless an activity is explicitly permitted, it is prohibited.

A motion to approve the Amended Preliminary Site Plan for Phase One/Major Subdivision, on the condition that the space not be used until there is an agreement, was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. Campos, Mr. DeTrizio, Mr. Orsini, Mr. Forrest, Ms. Falco.

A motion to grant an extension of time for the Board to grant Final Approval on Phases Two through Five was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. Campos, Mr. Forrest, Mr. DeTrizio, Ms. Falco, Mr. Orsini.

### **208-220 Clinton Street**

A motion to grant Amended Preliminary Approval, Final Site Plan Approval and Final Subdivision Approval was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. Campos, Mr. DeTrizio, Ms. Falco, Mr. Orsini.

### **627 Washington Street**

A motion to approve the Minor Site Plan and two variances on the condition that the wall will be repainted and the matter will be submitted to the Historic Commission for review; and in the event of a dispute, they must come back before the Planning Board, was made by Mr. Forrest, seconded by Ms. Falco and adopted by the following votes:

Yes: Mr. Campos, Ms. Falco, Mr. Forrest, Mr. Orsini.

### **601 9<sup>th</sup> Street**

A motion granting Preliminary Site Plan Approval with C variances was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. DeTrizio, Mr. Campos, Mr. Orsini.

### **128-130 Jackson Street**

A motion granting Minor Site Plan Approval was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Mr. DeTrizio, Mr. Campos, Mr. Orsini.

### **1500 Hoboken Street/Cove**

Mr. Galvin stated that Resolution was approximately 23 pages long. Mr. Pantel, attorney for the applicant, suggested the following modifications: (1) on Page 3, after the reference to the Planner's Agreement, add "most recently dated October 23, 2003;" (2) on Page 6, after reference to lower building heights, add "along Washington and Hudson Streets;" (3) Page 7, paragraph I, reference to three-story building should be changed to thirteen-story; (4) in Paragraph J, reference to building should be corrected to read "faces 15<sup>th</sup> Street and has wings on Washington and Hudson;" (5) Page 8, Paragraph L, should read that the street facade has a retail element on a portion of the ground floor; (6) Paragraph R, should say one-third of the first floor of the garage; (7) Page 11, Paragraph G, should say that CO for parking garage is a prerequisite for occupancy of garage, not construction of garage; (8) on Page 16, the reference to Final Minor should read Final Major; and (9) a typo in the statutory cite needs to be corrected. The Board was amenable to the modifications and added a condition that Building A would be the first building to acquire a CO, after the parking garage.

Mr. Forrest inquired if they were still on track to open the streets within four weeks. Mr. Pantel confirmed that they were and stated that the applicant is still working with City on a Developer's Agreement.

A motion to adopt the Resolution on the provisions discussed, was made by Mr. Forrest, seconded by Mr. Campos, and adopted by the following votes:

Yes: Mr. Campos, Mr. Forrest, Ms. Falco, Mr. Orsini, Mr. DeTrizio.

### **ACTING RECORDING SECRETARY:**

At the suggestion of Ms. Banyra, a discussion took place among the Board members about the need to select an alternate to serve as Recording Secretary in Ms. Wilday's absence.

A motion to elect Elizabeth Falco as Acting Recording Secretary in the absence of Ms. Wilday was made by Mr. Campos, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Mr. Campos, Mr. DeTrizio, Mr. Forrest, Mr. Orsini.

Abstain: Ms. Falco.

A short recess was taken.

## **ROLL CALL:**

Present: Mr. Campos, Mr. Forrest, Mr. DeTrizio, Mr. Orsini, Ms. Falco.

Mr. Galvin stated that the next two matters were referred to the Board as matters for amendments to the municipal ordinances.

## **NORTHWEST REDEVELOPMENT PLAN:**

Ms. Banyra recused herself from the hearing.

Ms. Vandor explained that in August 2003, the redeveloper of Block 86 in the Northwest Redevelopment Area proposed building a project with a 12,040 square foot park, an average building unit size of 1,100 square feet, and providing affordable housing. Although the Northwest Redevelopment Plan allows for additional FAR on corners to create larger units, this building does not fall under the corner regulations. The proposed amendment to the Northwest Redevelopment Plan would only affect this block.

Ms. Vandor pointed out that the Board would still be able to refine the use of the retail/restaurant space. The amendment will also allow for three floors of parking, where two are permitted, subject to the Board's approval of the urban design guidelines of how the parking floors are treated.

Ms. Vandor commented that the proposed project is not inconsistent with the land use plan element or housing plan element of the Master Plan, and is not inconsistent with the Master Plan itself. The project carries out several objectives such as encouraging affordable housing, creating larger units, development of park space by private owners and creating residential neighborhoods with shopping and convenience retail. The Draft Housing Plan also recommends requesting affordable housing, three-bedroom or larger units, public open space and larger unit size.

Mr. Campos stated that one of the major criticisms encountered by the City Council is that families cannot remain in Hoboken, since many of the existing units are one bedrooms or efficiencies. Mr. Campos stressed the need to keep families in Hoboken.

Mr. Campos wondered how the controversy related to the project would be addressed by the Board. Ms. Vandor stated that the application has been submitted to the Board for review. It is a very unusual design but modifications may be requested if the Board decides that the project does not meet the spirit of the plan. Recommendations could be made that the Council add something to the amendment or the Board may request modifications at Site Plan Approval. Ms. Vandor pointed out that one of the goals of the



Master Plan is to encourage private developers to create open space in conjunction with redevelopment. The space flows across from 8<sup>th</sup> Street and Monroe Center, creating the potential for the projects to work together. The plan also meets the goal of development near transit sights.

Mr. Forrest asked how the FAR was calculated. Ms. Vandor reviewed how the FAR was calculated and explained that it makes the building larger from front to back. The Commissioners discussed ways to avoid blocking the view of the Palisades. Mr. Campos pointed out that the developer can go to 14 stories by including the park, but does not have to. Ms. Vandor said a recommendation could be made to the Council that the building only go to thirteen stories. Mr. Galvin advised that the recommendations would not be binding, but they may ask that consideration be given. Ms. Vandor said the developer has prepared information about the height and the view of the Palisades to be presented to the Council and asked that the Board hear the information before trying to make revisions.

Mr. Campos felt that another chief concern of Hoboken residents was having a pedestrian friendly path to the light rail station, allowing the pedestrians to walk through the building and get to the other side of the street. Ms. Vandor advised that could be discussed at Site Plan Review.

Mr. Galvin advised that although there is no public hearing of this matter at this time, a member of the public will be given the opportunity to comment.

Ron Hine, 258 Newark Avenue, Hoboken, asserted that the project would do irreparable damage to the Draft Master Plan and cause it to become unraveled. The map in the plan designates this lot as open space, and it should stay that way. The plan also discusses respecting the adjacent municipalities, which this does not.

Daniel Perlman, an attorney in Hoboken, asked the Board to recognize that they are constrained by the law, and the law is the Redevelopment Ordinance, not the proposed Master Plan.

Mr. Campos commented that this was not about the height or density. They should be concerned with building family-friendly units. Ms. Vandor pointed out that it was not necessary to include references to the Draft Master Plan, as it has not yet been adopted. It was only included because they are close to adopting it.

Mr. Galvin explained that the Council would be acting on the ordinance, and that would be the appropriate forum for a debate of the issues. Mr. Forrest did not believe that increasing the size would encourage families to live at the site, and that the overriding location near the light rail would determine the occupancy of the building. Mr. Forrest preferred having as little bulk as possible and for it to be as low as possible. Mr. Campos noted that an unprecedented \$100 million school project was being built in the area and that the numerous existing 1 and 2 bedrooms with small square footage do not promote families. Mr. Campos maintained that the many developments in the area would cause a renaissance where families would want to stay and live. Ms. Falco commented it would only promote families if the families could afford to live there.

A motion to recommending that the proposed amendment to Sub-Zone Two of the Northwest Redevelopment Zone is not inconsistent with the currently effective plan and with the provisions of the soon to be adopted revised Master Plan and that the City

Council adopt the proposed FAR amendment, provided that consideration be given to reducing the height to not exceed the height of the Palisades was made by Mr. Campos, seconded by Mr. Orsini and adopted by the following votes:

Yes: Mr. Campos, Mr. DeTrizio, Ms. Falco, Mr. Orsini.

No: Mr. Forrest.

Ms. Banyra returned to the meeting.

## **800 JACKSON STREET 616 JEFFERSON STREET**

A motion was made to carry the matters to the May 4<sup>th</sup> meeting and adopted by unanimous vote. Mr. Burke agreed to an extension of time for the Board to act.

## **THE SOUTH WATERFRONT REDEVELOPMENT PLAN**

Ms. Banyra stated that the ordinance is being reviewed on referral from the Council. Ms. Vandor explained that the developers made a presentation at the Council meeting proposing a 275-foot tall first-class, full service luxury hotel. Two amendments would need to be made to the ordinance. The first related to the height, which would be tied to the option of having the first-class full service luxury hotel. This was defined in the ordinance as a hotel with ancillary services and facilities, providing 24-hour room service, concierge service, fitness center, restaurant, bar, banquet/ballroom facilities and meeting and conference rooms. The second requirement bolstering the height would be moving the hotel from the center of the site to the River Street portion of the base building. The related amendment allows for the services to be counted as deductions. Other less significant changes would be made, relating to the setback and encroachments by moving the building.

Ms. Vandor indicated that a report was prepared and John Shapiro gave testimony. Redevelopment has been suggested for this area and the project complies with the goals of creating a world-class development, high quality mixed use, economic development, and assuring the project doesn't turn its back on the existing neighborhood.

The project also meets several recommendations of the draft Master Plan by creating an opportunity for gathering places, meetings and special events, encouraging contemporary building designs which complement Hoboken's historic buildings, increasing economic activity in terminal areas, and promoting compatibility of scale and design between new and existing buildings, which enhances the physical and visual connections to the waterfront. The plan amendments are not inconsistent with the Draft Master Plan or the current Master Plan.

Ms. Vandor said in the Re-examination Report, there were some plan amendments in the Waterfront Area to reduce building mass and reduce bulk.

In response to comments from the public, the footprint was being changed to open up the view. This further reduces the mass from River Street, an area identified as becoming too much like a tunnel, and opened up the area on the ground and created a setback from 3<sup>rd</sup> Street.

In response to an inquiry from Ms. Banyra, Ms. Vandor explained that the applicant would not be able to occupy the building if the project did not comply with the language defining luxury hotel. Mr. Campos remarked that concerns were raised about the height and people do not feel it fits in with the Master Plan.

Although the meeting was not open to the public, Mr. Galvin allowed for a comment.

Daniel Thompson, a member of the public, said Mr. Shapiro did comment on the project and said a canyon effect has been created on River Street, contrary to the Master Plan. The reconfiguration does not eliminate it and adds 15% to the size of the block, exceeding levels previously agreed to. He reminded the Board that the project has been rejected twice. The idea of increasing the project is an insult to the people of Hoboken and asked that the point be taken into consideration.

Mr. Forrest did not agree that a taller building is a bigger building. He felt that the site could benefit from a taller thinner structure and that it was a good variety from the buildings on the site. It is a prominent place to have a signature building.

A motion to approve the ordinance per Ms. Vandor's recommendations was made by Mr. Forrest, seconded by Mr. Campos, and adopted by the following votes:

Yes: Mr. Campos, Mr. Forrest, Mr. DeTrizio, Ms. Falco, Mr. Orsini.

### **369 OBSERVER HIGHWAY 528 RIVER STREET**

The attorneys for the applicants agreed to an extension of time for the Board to respond. A motion to carry the matters to the May 4<sup>th</sup> meeting without further notice was made by Mr. Campos, seconded by Mr. Forrest, and adopted by unanimous vote.

### **ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 10:00 p.m.

Respectfully submitted,

AudioEdge Transcription

CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar

Hoboken, New Jersey, June 1, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

Also present were Dennis Galvin, Esq., Board Attorney, Eileen Banyra, Board Planner, Glenn Lines, Board Engineer, Cathy DePalma, Secretary to the Planning Board.

Ms. DePalma declared a quorum present.

Chairman Mooney welcomed and introduced Joseph Peluso as a new Member of the Planning Board of the City of Hoboken.

## **APPROVAL OF MINUTES:**

A motion to approve the minutes of the April 8, 2004 Special Meeting of the Planning Board was made Mr. Monaco, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

## **CORRESPONDENCE:**

Shipyards Associates requested a special meeting for June 23, 2004.

The Cove advised that the streets in the project have been opened.

## **RETAINING WIRELESS/RF EXPERT**

Ms. Banyra informed that she and Ms. Vandor interviewed two RF experts to review reports submitted by the applicants. They are recommending Dr. Marra, who has the equipment and experience to perform the tests in an efficient and cost-effective manner. The expert's fees will be paid out of the applicant's escrow accounts.

A motion to retain the Wireless/RF Expert, Dr. Marra, was made by Mr. Campos, second by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Forrest.

Abstain: Mr. Orsini

## **RESOLUTIONS:**

### **MASTER PLAN**

A motion to approve the Master Plan was made by Mr. Forrest, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Forrest, Mr. Orsini.

Abstain: Mr. Peluso, Mr. DeTrizio.

### **528 RIVER STREET**

Mr. Galvin indicated that a change was made under the Special Conditions regarding the neighbor's report, changing it to "if" he submits the report, in case he decides not to submit one.

A motion to adopt the Resolution, as changed, was made by Mr. Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Forrest.

### **369 OBSERVER HIGHWAY**

A motion to adopt the Resolution was made by Mr. Monaco, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Forrest.

### **720 MONROE STREET**

A motion to approve was made by Mr. DeTrizio, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Tyrell, Mr. DeTrizio, Mr. Campos, Ms. Falco, Mr. Forrest, Mr. Orsini

A motion to grant a temporary CO for the use of the City, provided that all health and safety codes are met, was made by Mr. Campos, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Ms. Tyrell, Mr. DeTrizio, Mr. Campos, Ms. Falco, Mr. Forrest, Mr. Orsini.

### **300-326 ADAMS STREET**

Mr. Galvin stated that applicant would be heard at the July 6<sup>th</sup> meeting. They had erroneously noticed for the June meeting.

## **800 JACKSON STREET**

A motion to carry the matter to the July 6<sup>th</sup> meeting was made by Mr. Campos, seconded by Ms. Tyrell and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

James Burke, Esq., attorney for the applicant, agreed to waive the time limitations on the Board.

## **616 JEFFERSON STREET**

James Burke, Esq. appeared on behalf of the applicant for Minor Site Plan Approval with two variances, one for lot coverage and the other for front yard setback.

James McNeight was sworn and his credentials as an architect were accepted by the Board. Mr. McNeight presented photographs of the existing vacant lot. The applicant is proposing an in-fill building 59 feet 9 inches deep, with ten foot terraces in the rear. It is four story, 47 feet 6 inches tall. There will be one unit on each floor, containing two bedrooms each. A roof deck will be for the exclusive use of the fourth floor owner.

The lot coverage of the building is about 60%. When factoring in the terraces, as requested in the Burgess report, the lot coverage increases to 68.6%, requiring a variance. The benefit of the the decks is to provide outdoor space for the residents. A variance is also requested for front yard setback. Every other project on the street is at the lot line, therefore, the variance will keep it in line with the street frontage. Mr. McNeight testified that there was no detriment to granting the variance.

Mr. DeTrizio questioned the need for a roof deck when there are four balconies, and stated that he preferred it be eliminated.

Ms. Banyra questioned the need for the dual staircase. Mr. McNeight explained that buildings larger than a two-family require two means of egress. The dual staircase was done instead of a fire escape.

Ms. Banyra stated that they would need to get permission from the City Council for anything that extends into the street or in front of the property line. Ms. Banyra also noted that balconies are considered building coverage and the benefits are supposed to be public benefits. She asked for further testimony about coverage and why it is a C-2 argument.

Mr. McNeight responded that the terraces give the residents outdoor space. There is no particular benefit to the community at-large. The large parking lot in the rear is paved and brightly lit, so the terraces give everyone some outdoor space.

Ms. Banyra felt that the building could be shortened to fit in the balconies. Ms. McNeight stated that the building could not be shortened and still maintain a comfortably sized 2-bedroom 2-bathroom unit. Ms. Banyra commented that the landscaping would have to go before the Shade Tree Commission for a recommendation and the Rear Yard Ordinance

calls for the area to be landscaped. Mr. McNeight noted that the rear yard would be for the use of the first floor unit.

Mr. Campos stated that the Board has previously discussed constructing larger family units and commented that he would not like to see the building shortened, as the full 1,200 square feet was needed. Ms. Banyra stated that the added depth was an amenity which doesn't add to apartment space. Ms. Banyra stated that the Master Plan and Zoning and Lot Coverage Ordinances can be reconsidered regarding the terraces. Variances are granted for either a hardship or a benefit.

A motion to close the hearing was made by Mr. Campos, seconded by Ms. Tyrell, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

A motion to approve the application for the requested variances on the following conditions: that the roof decks be eliminated; that any encroachment into the right-of-way would require Council approval; and the landscape plan be reviewed and approved by the Board's Planner was made by Mr. Monaco, seconded by Ms. Tyrell, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

## **123 MONROE STREET**

Stephen Spector, Esq. appeared on behalf of the applicant. Three variances are requested as part of the application: (1) parking; (2) lot coverage of 61.3%; (3) parking garage. The roof decks are being eliminated in the project.

Frank Minervini was sworn and his credentials as an architect were accepted by the Board. Mr. Minervini presented a photo board of the existing two-family home, existing two car garage and surrounding area, marked as Exhibit A-1. A four-story structure is proposed, with four residential units over ground floor parking. The first floor will be 60% lot coverage, but higher levels would be 61.3% due to the overhung balconies. The roof deck in the drawings will be removed. Mr. Minervini reviewed the building entrance, garage entrance and rear yard. The rear yard would likely be deeded to one of the apartments. The landscaping plan, as approved by the Shade Tree Commission, was marked as Exhibit A-2.

Mr. Minervini then described the three parking spaces and entry and exit to the garage. The second floor will contain two one-bedroom units. Mr. Minervini felt that the lot coverage variance should be granted since the 4x8 balconies are small, will have no negative impact on surrounding properties, are 80 feet to the building across the rear yard. They will be including a front bay extension which will require Council approval. Mr. Minervini stated that the proposed project is more conforming than the existing structure.

Mr. DeTrizio asked why the rear yard would be isolated to just one unit. Mr. Minervini stated that they would reconsider the limitation. Mr. Forrest commented about the wattage and size of the street light in the plan. Mr. Minervini stated that it has been revised from the drawing, making it smaller and a lower wattage.

Ms. Banyra remarked that although there is an existing curb cut, once the condition of the building is changed, the permission or ability to have curb cut changes. Further, the applicant indicated that there will be a light flashing while people are backing out onto the sidewalk. Ms. Banyra stated that this is in conflict with the Master Plan, where they are trying to eliminate curb cuts on smaller properties. She recommended that there be no curb cut as it was a change in use.

Mr. Spector asserted that this was not a change in use, as it is a residential use. Ms. Banyra said it was a change as it was intensifying the use and not an improvement on an existing structure, as the site is being cleared and a new building constructed. Also, Ms. Banyra stated that they were not recommending increased coverage, although the increase requested was smaller than other applications.

A general discussion took place about the allowable number of floors and building height, and the option of removing the parking area and the number of floors allowed if the garage is removed. Ms. Banyra reviewed the relevant ordinances.

A short recess was taken.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

The meeting was opened to the public.

Bill Tobias, 2 Constitution Court, asked about the variance for the front yard setback and questioned if the rest of the block was a mix of old and new construction. He asked if following the zero foot setback made sense if the other older frame houses on the block were likely to be torn down and rebuilt.

Mr. Minervini informed the existing houses were in pretty good shape.

Further, Mr. Tobias said the Master Plan recommends that individual deeded parking be prohibited and have the spaces owned by the condo association.

Mr. Spector was unsure that these types of controls could be implemented.

Mr. Galvin pointed out that reasonable deed restrictions may be imposed.

Mr. Tobias commented that on this section of Monroe, people are traveling at a high rate of speed to catch the light and asked if having cars back in the street was a safety issue. Mr. Minervini said that this would work from a safety point of view.

Lauren Lagomarsino, 121 Monroe Street, was sworn before the Board. Ms. Lagomarsino expressed concern about damage to her building caused by construction of the new building and also about her windows and soffit.

Mr. Minervini said that her building would be monitored and the applicant would compensate her for any damage. Mr. Minervini pointed out that her windows and the soffit



which extends beyond the property line were not legal but the applicant would be willing to seal the windows and finish off the soffit.

Ms. Lagomarsino asked if she could request that the applicant build a foot away from her building. Mr. Minervini said one foot would not make a difference as it would not be accessible.

From an architectural standpoint, the new wall would support her building, although she would lose the windows. Ms. Lagomarsino asked if there was anything that could be done to keep the windows as it was an older building.

Ms. Banyra advised that the Fire Department requires that the windows be sealed off, as they are a fire hazard to buildings with a common wall and also stated that there is no side yard requirement.

Mr. Forrest commented that in the Master Plan, the reason behind not deeding the parking is based on the fact that the vast majority of parking spaces are being created in larger buildings where there is a managing agent who can ensure they are being used. In a building of this size, the spaces would likely all be used.

Mr. Monaco inquired about additional curb cuts on the street. Mr. Minervini reviewed the existing curb cuts and explained that existing curb cuts would not be changed. Mr. Campos asked about the impact on the drainage if the soffit was cut off. Mr. Minervini stated that it would be reconfigured for proper drainage.

A motion to close the hearing was made by Mr. Monaco, seconded by Ms. Falco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Ms. Tyrell, Mr. Orsini, Mr. Forrest.

A motion to approve the application on condition that the roof deck be eliminated; that Council approval be obtained for right-of-way encroachments; change to a common rear yard; lighting and wattage be adjusted and to include improvements to the neighbors property was made by Mr. Monaco, seconded by Mr. DeTrizio and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Ms. Tyrell, Mr. DeTrizio, Ms. Falco, Mr. Forrest, Mr. Orsini.

## **801-823 ADAMS STREET**

Joseph O'Neill, Esq. appeared on behalf of the applicant. Mr. Galvin noted that the Board has established several conditions on cell tower applications, including paying an RF expert to confirm that antennae are in compliance and that a knowledgeable member of the public be granted the opportunity to submit his thoughts on the RF impact. Mr. O'Neill agreed to the conditions.

Luis Gonzalez was sworn and his credentials as an RF expert were accepted by the Board. Mr. Gonzalez testified that their site at Washington has only two sectors and has reached maximum capacity. To alleviate this, this site was proposed to overlap the

coverage and provide coverage in an area with a weaker signal. Exhibit A-1 illustrated the location of existing and proposed Omnipoint antennae in Hoboken. Data from the last six months showed that the site on Washington is at full capacity and will exceed capacity by July.

Mr. DeTrizio asked how the site on Adams covers such a large area, when AT&T has six sites in the area. Mr. Gonzalez stated that the site is somewhat higher than the average building in the area, providing a wider footprint of coverage. Mr. Gonzalez also commented that AT&T's technology was slightly different from the technology that they were using.

Mr. Monaco questioned how many antennae they had in Hoboken. Mr. Gonzalez responded that there are two sites and one micro-cell in a building and they are also proposing one additional site. There may be an additional need some time in the future.

Ms. Banyra requested an explanation of differences between the proposed antennae and a patch antenna. Mr. Gonzalez explained that a patch antenna puts out 10-30 watts, while their antennae put out approximately 200 watts. The antennae will be located at the edge of the self-storage parking structure. If the antennae are moved away from the edge, the angle of coverage would hit the roof and break up the signal. Backing it up would require the antennae to go higher.

Joseph Chiaravalle was sworn and his credentials as a emissions and FCC compliance expert were accepted by the Board. A report summarizing the site's compliance with emissions and FCC regulations was marked as Exhibit A-2. Mr. Chiaravalle testified that the maximum exposure would be one hundred and thirty times less than the most stringent standards used by the FCC.

Sarita Marbella was sworn and her credentials as an architect were accepted by the Board. Ms. Marbella reviewed the layout of the site. The installation will consist of an equipment cabinet on the roof and a three sector antennae located on the building perimeter. The full-length will be screened and match the existing facade. Mr. Monaco asked for samples of the screening. Ms. Marbella stated that she could submit a sample from the manufacturer. Ms. Banyra asked what the screening was made of. Ms. Marbella responded that it is usually a 3 inch Styrofoam made to look like a brick veneer. Ms. Marbella reviewed the support structure of the antennae. Ms. Banyra noted that in prior applications, a condition of approval was that when technology needs change and the equipment must be upgraded, the applicant must remove any existing equipment. Mr. O'Neill said obsolete equipment would be removed.

Ms. Marbella explained that the reason the equipment is nine feet above the existing roof is per the request of the owner that they locate the lowest part of the steel a minimum of 18 inches above the roof. If the owner needs to re-roof in the future, he will not have to remove the equipment. Mr. O'Neill added that it also was related to the depth of the paraffins. Ms. Marbella explained that they must locate at least 12 inches above the paraffin to clear the masonry.

Janice Talley was sworn and her credentials as a planner were accepted by the Board. Ms. Talley stated that she reviewed the application, Town Ordinances and Master Plan and found that the application is permitted in the R-2 district. The variances involve the height of the equipment cabinets and antennae. The height is a necessary deviation to provide for proper maintenance of the roof and the antennae need to go over the height of the paraffin.

Hoboken, New Jersey - June 1, 2004

Ms. Talley presented photo simulations marked as Exhibit A-3, depicting the existing conditions and proposed screening. The building is one of the taller buildings in the area, at 78 feet, minimizing the visibility of the antennae. The screening is RF transparent and will match the facade of the building. Ms. Talley stated that they have met the intent of the design criteria by minimizing the visual impact and locating it on a non-residential building. Locating on a tall building expands the coverage area and reduces the number of needed sites.

The C-2 variances provide better planning, allow for proper maintenance of the roof, allow the signal to go over the paraffin and provide screening. The variances requested will have minimal impact to the surrounding community, are visually non-obtrusive and advance the Master Plan, which supports providing wireless technology.

Mr. O'Neill stated that access to the top of the building would be restricted to the owner of the storage facility and Omnipoint representatives.

A motion to close was made by Mr. Monaco, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini and Mr. Forrest.

A motion to approve the application on the following conditions: (1) the applicant shall incorporate the esthetic conditions discussed at the hearing; (2) matching the antennae to the coloration of the facade; (3) access to the roof area must be limited to leaser's representatives and Omnipoint personnel and authorized contractors in a manner in accordance with FCC regulations; (4) the applicant must comply with FCC regulations regarding cell phone antennae emissions; (5) the radio frequency survey for measurements of emissions must be completed after installation of antennae and before the facility goes on-air by the Board's Radio Frequency Engineer. The results of the survey must show that the applicant is complying with FCC regulations regarding emissions; (6) the applicant shall pay for the cost of hiring the expert; (7) before conducting the radio frequency survey, the Board's radio frequency engineer will be shown and will review the report prepared by a qualified member of the public, if submitted; (8) pursuant to ordinance, the applicant shall post a bond for removal of equipment in event of technological change, advancement or abandonment of the site was made by Mr. Monaco, seconded by Mr. DeTrizio and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Mr. DeTrizio, Ms. Falco, Mr. Campos, Ms. Tyrell, Mr. Orsini and Mr. Forrest.

Hoboken, New Jersey - June 1, 2004

**ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 9:15 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar

Hoboken, New Jersey, June 23, 2004

A special meeting of the Hoboken Planning Board was held on the above date in the Council Chambers, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Mr. Peluso, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Orsini.

Absent: Vice-Chairman Monaco, Mr. DeTrizio, Ms. Falco, Mr. Forrest.

Also present were: F. Clifford Gibbons, Esq., Attorney to the Planning Board, Eileen Banyra, Board Planner, Robin Persad, Board Engineer, and Cathy DePalma, Secretary to the Planning Board.

## **2 FOURTEENTH STREET**

Ira Karasick, Esq. appeared on behalf of Shipyard Associates. Proof of service and an affidavit of publication were submitted to the Board. Mr. Gibbons found the notice to be sufficient under the Municipal Land Use Law.

Mr. Karasick stated that in 1997, the project received Preliminary Site Plan Approval. Several blocks have been developed and Mr. Karasick reviewed the projects that have been constructed. Sovereign, which consists of 261 residential units and 270 parking spaces, is now being built. Some changes have been made to the original design of the Sovereign; therefore, they are requesting Amended Preliminary Site Plan Approval along with Final Site Plan Approval.

Thomas McGinty was sworn and his credentials as an architect were accepted by the Board. Mr. McGinty reviewed the Amended Preliminary changes, which includes number of dwelling units, additional level partially below grade to accommodate parking garage, reduction to one curb cut and one access to parking garage and lobbies moved to face 14<sup>th</sup> Street. Small retail space will be added on the ground floor to create a more active public space, with duplex apartments above.

Ms. Fox questioned the location of the removed second garage entrance and Mr. McGinty stated that both were on Shipyard Lane, but they found one sufficient to accommodate the traffic. Ms. Fox asked if they had encountered any problems with people coming in and out of the same access way. Mr. McGinty stated that they have

not had any pedestrian issues at the Constitution, which has 310 spaces. There will be a garage door with a red flashing light.

Mr. McGinty further testified that additional changes include an inclusion of a pool and pool house on the fourth floor roof deck.

Responding to an inquiry from Mr. Campos, Mr. McGinty indicated that there are no grills, but there will be an ancillary kitchen for food preparation. The area is open to the public and available for catered events. Alcohol may be served at catered events, but will not be available for sale.

Mr. McGinty stated that the buildings are now 12 stories, rather than the original 13. Floor to ceiling height has been increased in the apartments. Ms. Fox questioned how the applicant was able to maintain the same number of units while reducing a floor. Mr. McGinty explained that the wings are narrower than in previous plans and there is different distribution of units, but the square footage has remained the same. Mr. McGinty indicated that each building in the project was not precisely mapped out in the original plans, which is the reason they are often returning with a slightly different number of units and parking spaces for the various buildings.

Further, they have found that the most desirous part of the projects is the lawn and lounge areas, which they have attempted to maximize. Shrubs and perennials have been added on the roof decks, and trees and shrubs will be planted at the ground floor level.

Finally, the temporary parking lot has been eradicated, which had been exclusively for the use of the tenants in the Shipyard and the machine shop. The temporary approval for the lot was granted on the condition that it would be eliminated as the lot was developed and the other parking garages brought into operation.

Ms. Banyra inquired if a bond was posted or if any bonding was required. Mr. Karasick stated that in the original approval, a bond was posted for the public improvements. As the projects are completed, they request a portion of the bond to be released. Ms. Banyra suggested that as a condition of approval, documentation be provided to the engineer indicating the amount posted and the work completed. Mr. Karasick represented that the taxes have been paid and documentation will be provided to the Board.

Mr. Karasick concluded the presentation as to the Amended Preliminary Site Plan.

The meeting was opened to the public. Hearing no comments, the public portion was closed.

Mr. McGinty testified regarding Final Site Plan Approval for the Sovereign. The Subcommittee had asked that the architect provide testimony as to the opening of the road. Mr. McGinty explained the realignment of the streets to connect Development Block G to DLJ. They have coordinated the elevation on the lot and the road has been installed.

Responding to comments in the planner's report, Mr. McGinty stated the planned unit development is less than 85% residential, which is more desirable and maximizes open public space.

The meeting was opened to the public. Hearing no comment, the public portion was closed.

Joseph Cicale, 205 Hudson Street, was sworn. Mr. Cicale, one of the principals of the ownership, requested to make a statement on behalf of Shipyard regarding the connection of the roads. The owners were not advocates of connecting Sinatra Drive to the 15<sup>th</sup> Street Connection, or to the Maxwell Connection, but it was one of the issues discussed in the Developer's Agreement. They have gone to great lengths to create a waterfront that is safe and with public access. Mr. Cicale commented that creating a bypass road is a dangerous situation for families walking with children and he is hoping that the traffic pattern will be changed at some time in the future. The connection was made to facilitate the approval, but it was not their preference to include it.

Mr. Campos noted that there have been some problems and encouraged the use of traffic calming devices. Mr. Karasick indicated that the applicant was open to suggestions to deter people from using it as a bypass.

Mr. Gibbons advised that the Board does not have jurisdiction over the matter, as the City Council will decide the issue.

The meeting was opened to the public. Hearing no comments, the public portion was closed.

A motion to grant Amended Preliminary Site Plan Approval was made by Mr. Campos, seconded by Ms. Tyrell, and adopted by the following votes:

Yes: Chairman Mooney, Mr. Peluso, Mr. Campos, Ms. Fox, Ms. Tyrell, Mr. Orsini.

A motion to grant Final Site Plan Approval was made by Mr. Campos, on condition that the landscaping details be reviewed by the Board Planner; Ms. Tyrell seconded the motion.

Mr. Gibbons noted that the Resolution of Approval would include a recommendation to

the City Council regarding the issues raised by the applicant's representative and the Planning Board with respect to the traffic flow.

Ms. Banyra stated that the applicant was not required to make the connection as a condition of approval, but were generous enough to do so. In terms of circulation, she understands Mr. Cicale's concerns, but was unsure of how that could be included as a condition of approval.

Mr. Gibbons indicated that it would be an expression of the Board's concern, anticipating that the City Council would take cognizance of the problem and solve it in its own way.

Mr. Campos interpreted it as putting the City Council on alert of a potential problem.

Ms. Banyra suggested that this be done as a separate communication, rather than as a part of the Resolution.

Mr. Gibbons recommended that the attorney prepare the language for the resolution or in the alternative, attach a memo to the resolution.

The motion was adopted by the following votes:

Yes: Chairman Mooney, Mr. Peluso, Mr. Campos, Ms. Tyrell, Mr. Orsini.

No: Ms. Fox.

## **ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 8:25 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,  
Operations Manager

CT/jar



Hoboken, New Jersey, July 6, 2004

The regular meeting of the Hoboken Planning Board was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Chairman Mooney called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

Absent: Ms. Wilday, Ms. Falco, Ms. Fox, Mr. Orsini.

Ms. DePalma declared a quorum present.

Also present were Dennis Galvin, Esq., Board Attorney, Eileen Banyra, Board Planner, Glenn Lines, Board Engineer, and Cathy DePalma, Secretary to the Planning Board.

## **APPROVAL OF MINUTES**

A motion to approve the minutes of May 4, 2004, May 13, 2004 and June 1, 2004 was made by Mr. Monaco, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

## **CORRESPONDENCE**

720 Monroe Street - Use of Room E-200

Ms Banyra reported that she and Ms. Vandor met with the representatives of Monroe Center and discussed the appropriate uses of the room based on the ordinance.

## **RENEWAL OF THE BIRDSALL CONTRACT**

A motion to approve was made by Mr. DeTrizio, seconded by Ms. Tyrell, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

## RESOLUTIONS

### 616 Jefferson Street

The application included variances for maximum lot coverage and front yard setback. Mr. Forrest questioned if an additional variance was required for height. Ms. Banyra did not believe a variance was necessary in the zone, but noted the Ordinance was unclear and could be interpreted differently.

Mr. Galvin agreed and a discussion took place regarding the variance requirements. Mr. Galvin included the height requirements of 196-15 under the request for variance relief.

Mr. Forrest stated, until the language is clarified, applicants should be alerted that R-2 and R-3 are intended to be similar.

A motion to adopt the Resolution, as amended, was made by Mr. DeTrizio, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

### 123 Monroe Street

A motion to adopt the Resolution was made by Vice-Chairman Monaco, seconded by Mr. Forrest, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

### 801 Adams Street

Mr. Galvin noted the provision in the Hoboken Ordinance requiring applicants to bond for the removal of obsolete equipment. Mr. O'Neil, attorney for the applicant, objected to the requirement as it was unenforceable and requested a waiver of the requirement with their commitment that the equipment would be removed within 60 days should the equipment become obsolete. If not removed, the code officials could issue a notice, remove the equipment and place a lien on the property to recoup any costs associated with the removal.

Mr. Galvin believed the argument necessitated a discussion with Municipal Counsel. He urged the Board to approve the Resolution and he would continue to research the issue. The Resolution could later be modified to include the lien option, as opposed to the

bond requirement.

Mr. Forrest questioned if there are provisions in the leases whereby the wireless companies will remove obsolete equipment. Mr. O'Neill indicated this is generally included.

A motion to adopt the Resolution was made by Mr. Campos, seconded by Mr. DeTrizio, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso, Ms. Tyrell.

### 2 Fourteenth Street

Barbara Stack, Esq., attorney for the applicant, reviewed the changes to the Resolution prepared by Mr. Galvin. The height will be 125 feet, as per the Ordinance, rather than the 136 feet in the Resolution. The unit count is increasing from 256 to 261. The garage height is going from three to four stories.

Mr. Forrest questioned the 136 foot height. Ms. Banyra explained that the penthouse is not included in calculation of height.

Further, Ms. Stack stated that the residential gross area went from 85% to 77.4% and the lobbies have been relocated.

Mr. Galvin stated that Ms. Banyra proposed two conditions to include prior to receipt of the Certificate of Occupancy. First, the applicant must provide an accounting of bond money posted to the Board Engineer for review to ensure that the improvements are constructed to the appropriate standards. The engineer will determine if the bonds are released or additional bonds are to be posted. Second, the applicant shall submit a revised landscape plan for the street level and the recreational rooftop garage indicating the number, types and sizes of all plants and shrubs.

A motion to adopt the Resolution was made by Mr. Forrest, based on the corrections and revisions, seconded by Mr. Campos, and adopted by the following votes:

Yes: Chairman Mooney, Mr. Forrest, Mr. Peluso, Mr. Campos, Ms. Tyrell.

Abstain: Mr. DeTrizio.

### **HEARINGS:**

### **300-326 ADAMS STREET:**

Christopher Quinn, Esq. appeared on behalf of the applicant for Minor Site Plan Approval to construct a rooftop telecommunications facility. The property is located in the R-2 residential zone and is an eighth priority site.

Mr. Galvin advised that the Board has six or seven standard conditions when granting wireless applications. Mr. Quinn was aware of the conditions and noted his objections, similar to those voiced by Mr. O'Neill in the previous application.

Luis Gonzalez was sworn and his credentials as a radio frequency specialist were accepted by the Board. Mr. Gonzalez reviewed the existing sites and areas of coverage. The project is needed to relieve an existing site on Washington which will exceed coverage this month. The new site will overlap existing coverage and increase in-building coverage. Mr. Gonzalez reviewed alternate sites that had been considered and explained why this site was preferable.

Responding to an inquiry from Mr. DeTrizio, Mr. Gonzalez stated that the antennae on 538 Washington Street would not be eliminated as they provide excellent coverage. Mr. DeTrizio commented that it was an ugly set-up. Mr. Gonzalez noted that the site could be changed with some screening at another time. Mr. Gonzalez explained that the current site is an excellent choice because it is 2-3 stories taller than almost everything else, but not so tall as to cause interference. Locating the antennae in an industrial area would not provide the needed relief.

Mr. Gonzalez explained that by spacing the antennae closer than 10-12 feet apart, more equipment would have to be added to the cabinet and the overall coverage area would shrink. The site will cover approximately sixteen square blocks, thereby reducing the number of antennae that need to be installed. Illustrations reviewed by Mr. Gonzalez were marked as Exhibit A-1.

Glen Chapman was sworn and his credentials as an architect were accepted by the Board. Mr. Chapman reviewed the site plan and described the location of the building. Three sets of four antennae will be placed on the roof. A drawing of the roof plan and elevation was marked as Exhibit A-2. Three equipment cabinets, which are approximately the size of a refrigerator, and one small equipment cabinet will be placed on the roof, along with three sets of four antennae. One antenna will be on an existing penthouse structure, flush with the top. The second will be mounted above the roof and behind a stealthing screen. The third set is on the western side on a paraffin mount hidden by a stealthing panel. Mr. Chapman noted a correction in the elevation from the original plans.

A stair penthouse allows access to the rooftop equipment. The antennae and stealth screening will be painted to match the existing building. Mr. Chapman reviewed the

rooftop equipment and believed that it was well below the 30% rooftop coverage requirement.

Mr. Forrest requested confirmation that the equipment was indeed below the 30% requirement.

Mr. Galvin suggested that it could be added as a condition.

Mr. Forrest noted that there is an observatory dome on the rooftop.

Mr. Chapman reviewed the location of the dome but was unsure of its use.

Ms. Banyra questioned the structural integrity of the building.

Mr. Chapman confirmed that the rooftop was capable of supporting the proposed equipment.

David Karlebach was sworn and his credentials as a planner were accepted by the Board. Mr. Karlebach reviewed the site and surrounding areas. Mr. Karlebach certified that the computer photo simulations prepared by TK Design Associates were accurate and they were marked as Exhibits A-3, A-4, A-5 and A-6. Mr. Karlebach reviewed the view of the site from various angles. He testified that the applicant has done everything possible to conceal the antennae and that there would no adverse impact or increase in visual clutter.

Mr. DeTrizio questioned if the antennae could be lowered and mounted to the building. Mr. Gonzalez explained that there would be a radio frequency problem. Mr. Gonzalez responded to the inquiries regarding antennae facing into apartments. The north facing sector shoots over a parking lot, dissipating the main amount of energy, which is located in the first 10-15 feet. It is not aimed into the building. Mr. Gonzalez reviewed the angles of the antennae.

Mr. Campos noted that Exhibit A-3 was mislabeled, as it states it is facing southeast, rather than southwest. He asked that when testing is done, attention be paid to the site at 220 Adams as concerns have been raised regarding the antennae facing directly into a senior living center.

Mr. Karlebach responded that they are shooting to the left and right of the building.

Mr. Quinn noted that the surrounding buildings were 3, 4 and 5 story residential buildings, with the exception of St. Francis Church. The only tall housing is the senior housing, which the antennae face away from. The antennae harmonize with the

environment.

The hearing was opened to the public. Hearing no comments, a motion to close the hearing was made by Mr. Monaco, seconded by Mr. Forrest and adopted by unanimous vote.

Ms. Banyra stated that she has attempted to contact the expert regarding the wireless applications. The information will be forwarded to the expert for review and appointments will be scheduled for field reviews. A discussion took place about the difficulty of contacting the expert.

A motion to approve the application, including the Board's standard wireless conditions, a condition that the applicant provide a plan that total rooftop coverage will not exceed thirty percent and a condition regarding a study of 220 Adams Street, was made by Mr. Forrest, seconded by Mr. Monaco, and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Ms. Tyrell, Mr. Forrest and Mr. Peluso.

(A short recess was taken.)

## **ROLL CALL:**

Present: Chairman Mooney, Vice-Chairman Monaco, Mr. Peluso, Ms. Tyrell, Mr. DeTrizio, Mr. Campos, Mr. Forrest.

## **1118 ADAMS STREET**

John J. Curley, Esq. appeared on behalf of the applicant. The application was originally joined with 1100 Adams Street but it has since been subdivided. They are proposing a six-story, affordable housing building with 87 ground floor parking spaces and a single garage entrance on Jefferson Street. Variances were previously granted and the subdivision has been finalized.

Michael Gelfand was sworn and his credentials as an architect were accepted by the Board. Mr. Gelfand reviewed the plan changes from the Preliminary Site Plan including the staircase and square footage of the individual apartments. Changes were also made to the configurations of the lobby, trash room, mechanical areas and parking area. The two retail areas have been relabeled laundry and activity space as the affordable housing does not allow a retail component. Minor changes were made to lot coverage and fenestration. Mr. Gelfand reviewed the building facade, including the cornices and stoop configuration.

Ms. Tyrell commented that the building looked like a factory.

Mr. Gelfand disagreed and explained they were trying to evoke some of the industrial architecture of the area and keep it consistent with the market rate buildings in the area.

Ms. Banyra stated that there was a discussion at a previous meeting regarding esthetic changes to the building. Ms. Banyra stated that the applicant has satisfied the conditions of the preliminary approval but there were a number of conditions that needed to be addressed while the architect was present.

Mr. Forrest commented that the building lends itself to the industrial nature of the area. Adding cornices will not add to the success or jeopardize the project.

Mr. DeTrizio did not want everything to look like an industrial building.

Ms. Tyrell remarked that if it was going to be rezoned as a residential area, it should look residential.

Mr. Forrest noted that it was within a mixed use zone.

Mr. Campos stated that they wanted to ensure that affordable housing units would not noticeably contrast with the area. He thinks they did a good job of keeping with the industrial characteristic.

Mr. DeTrizio commented that he was accepting the project, but wanted to see diversity in the area.

A general discussion took place regarding suggestions to the changes to the facade and windows.

Mr. Galvin noted that he had sent a letter to the applicant regarding the Board's concerns with the proposed changes.

Mr. Curley stated that the applicant could respond to specific requests. Suggestions included putting cornices over the windows and stone lintels on all of the windows going north.

Ms. Banyra requested a further description of the activity area. Mr. Curley stated there will be a laundry room and a community room. The activity areas must be for the residents of the building and any profits are blended into the affordable housing subsidy.

Mr. Gelfand stated that the garage is completely enclosed and mechanically ventilated.

Ms. Banyra asked if there were any deed restrictions regarding window treatments. Mr. Curley was unsure if this would be included. Ms. Banyra requested that the issue be looked into, as it can make the project stand out in a negative way. Ms. Banyra further remarked that one of the conditions was free parking for the residents. Mr. Curley disagreed and noted that not all of the residents would require parking spaces.

Ms. Banyra informed that the lighting from the ornamental features was spilling off-site and asked that there be coordination with the existing light. Further, Ms Banyra stated that the engineer needs to review road improvements as the road is in poor condition.

Responding to an inquiry from Mr. DeTrizio, Mr. Curley stated that the power lines would be overhead. Mr. Campos questioned the cost of submerging the power lines. Mr. Peluso inquired about the lease maintenance agreement with PSE&G. He stated that the City of Hoboken has ended up paying for many of the lease maintenance agreements and the issue needed to be resolved. Mr. Forrest noted that the wattage needed to be brought down on the ten foot poles. Ms. Banyra suggested the wattage adjustment be added as a condition. A discussion took place regarding lease and maintenance arrangements for lighting and ownership options.

Mr. Curley stated that they have filed a subdivision bond. It may not specifically cover roads, but it includes all public-rights-of-way. The North Hudson Sewer Authority approved the sewer connection and did not require a storm water retention area. They have discussed the limitations regarding the tax credits.

Ms. Banyra asked Mr. Curley to inquire about the parking fee. Mr. Curley indicated that they must follow the dictates of the affordable housing and he would look into the requirements.

Mr. Galvin informed that if the mortgage financing has not addressed the issue, the Board may speak on the issue.

A motion to approve the application was made by Mr. Campos subject to the following conditions: (1) lintels are to be added to all the windows; (2) lighting plan to be revised and submitted to the Board's Engineer and Planner to eliminate spillage of decorative lighting and to coordinate with existing street lighting; (3) the Board Engineer is to prepare a cost-estimate for the street improvements bond; and (4) the developer is to purchase street lighting. The motion was seconded by Mr. Monaco and adopted by the following votes:

Yes: Chairman Mooney, Vice-Chairman Monaco, Mr. DeTrizio, Mr. Campos, Mr. Forrest, Mr. Peluso.

Abstain: Ms. Tyrell.



**ADJOURNMENT:**

There being no further business to attend to, this meeting adjourned at this time: 9:40 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

CHARLES J. TRAMER, JR.,  
Operations Manager

CJT/jar  
7/26/04